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THE MELROS PAPERS.

STATE PAPERS,

AND

MISCELLANEOUS CORRESPONDENCE

OF

THOMAS, EARL OF MELROS.

VOLUME FIRST.

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It is unnecessary to prefix to this Valuable Collection any account of the very able man, whose Papers are now presented to the Abbotsford Club.

Being aware that this Collection of the Papers of our common ancestor would have formed, more appropriately, the contribution of the present Earl of Haddington to the Bannatyne Club, I am desirous to state that the Collection had been designed for publication for the Abbotsford Club by another of its Members, and that it is only through his kindness in ceding the privilege to me, that I am enabled to present, in this form, a Collection which, while it is historically of the greatest value, illustrates, in a conspicuous manner, the great talents, and influence, and authority displayed by the first Earl of Haddington, in the management and direction of the affairs of Scotland.

To the principles and political views, which this Collection manifests on so many subjects, his descendants are in no respect committed.

For the preparation of this important Collection, in its present form, for the Club—for the order in point of time assigned to many letters having no date—for the accuracy with which the dates have been examined and ascertained—for the careful

revision of the proof-sheets, and for much other laborious and valuable assistance—and, in particular, for the very *useful* Index, which I hope will add so much to the value of the contribution, I am wholly indebted to Mr Maidment, without whose aid I could not have presented the Collection to the Club in any satisfactory form.

JOHN HOPE.

[The Letters and State Papers contained in these Volumes are chiefly referable to the interval between the accession of James VI. to the Crown of England, and his demise; and as being anterior in date to the noble writer's adoption of the title of Haddington, have therefore been described as The Melros Papers. Many of the Letters of the Privy Council are in his Lordship's handwriting, and several documents have been included which either relate to matters in which he was personally concerned, or in which he took an interest, such, for instance, as the correspondence relative to the assumption of the Earldom of Eglinton by Sir Alexander Seton, and the Papers connected with the visit of James VI. to Scotland, in 1617. Considerable difficulty was experienced from the want of dates to almost all his Lordship's Letters; and it is not improbable that one or two mistakes may have occurred in the arrangement, but, in general, it is believed they have all been inserted in their proper order. With the exception of three Papers from the Balcarras Collection, and a few from the originals in the Charter-Room at Tynningham, the rest have been taken from the Balfour Manuscripts in the Library of the Faculty of Advocates.]

CONTENTS.

1. King James VI. to Mr Thomas Hamyltoun, 6th May 1599, . *Page* 1
2. King James VI. to Mr Thomas Hamyltoun, 21st April, . . . 2
3. His Majesties warrand to desist fra Persute of the Erle of Glencarne, 1600, . *ib.*
4. The Lords of Privy Council to King James VI., 12th May 1603, . . . 3
5. The Lords of Privy Council to King James VI., 4th April 1604, . . 4
6. King James VI. to Sir Thomas Hamyltoun, 28th August 1604, . . 5
7. The Lords of Privy Council to the Lord High Treasurer, 26th April 1605, . 6
8. The Lords of Privy Council to King James VI., 2d August 1605, . . . 7
9. The Lords of Privy Council to King James VI., 6th December 1605, . . 8
10. The Lords of Privy Council to King James VI., 31st July 1605, . . . *ib.*
11. Sir Thomas Hamilton to King James VI., 11th January 1606, . . . 12
12. The Lords of Privy Council to King James VI., 14th June 1606, . . . 13
13. The Lords of Privy Council to King James VI., 14th June 1606, . . 15
14. The Lords of Privy Council to King James VI., 4th July 1606, . . *ib.*
15. The Lords of Privy Council to King James VI., 6th July 1606, . . . 19
16. The Lords of Privy Council to King James VI., 16th December 1606, . . 20
17. Sir Thomas Hamilton to King James VI., 23d January 1607, . . . 23
18. Sir Thomas Hamilton to King James VI., 29th May 1607, . . 26
19. The Lords of Privy Council to King James VI., 19th June 1607, . . 27
20. The Lords of Privy Council to King James VI., 19th June 1607, . . 28
21. The Lords of Privy Council to King James VI., 26th June 1607, . . 30
22. King James VI. to Sir Thomas Hamilton, 24th July 1607, . . 33
23. The Lords of Privy Council to King James VI., 13th August 1607, . . 34
24. Sir Thomas Hamilton to King James VI., 12th September 1607, . . 35
25. Sir Thomas Hamilton to King James VI., 28th January 1608, . . . 38
26. Sir Thomas Hamilton to King James VI., 29th January 1608, . . 39

27. Sir Thomas Hamilton to King James VI., 19th February 1608, . . Page 41
28. The Lords of Privy Council to King James VI., 14th April 1608, . 43
29. The Earl of Dunfermline and Sir Thomas Hamilton to King James VI., 24th April 1608, ... 44
30. The Lords of Privy Council to King James VI., 21st May 1608, . . 45
31. The Lords of Privy Council to King James VI., 25th May 1608, . . . 48
32. The Lords of Privy Council to King James VI., 24th June 1608, . . 49
33. The Lords of Privy Council to King James VI., 14th July 1608, . . 51
34. The Lords of Privy Council to King James VI., 15th September 1608, . 52
35. The Lords of Privy Council to King James VI., 13th October 1608, . . 53
36. The Lords of Privy Council to King James VI., 1st November 1608, . 54
37. The Lords of Privy Council to King James VI., 8th November 1608, . . 56
38. The Lords of Privy Council to King James VI., 6th December 1608, . 57
39. The Lords of Privy Council to King James VI., 14th December 1608, . . 59
40. The Lords of Privy Council to King James VI., 29th December 1608, . 60
41. King James VI. to Sir Thomas Hamilton, 10th January 1609, . . . 62
42. The Lords of Privy Council to King James VI., 28th January 1609, . 63
43. Sir Thomas Hamilton to King James VI., 9th February 1609, . . . 65
44. Sir Thomas Hamilton to King James VI., 21st June 1609, . . . 67
45. The Lords of Privy Council to King James VI., 11th August 1609, . . 69
46. King James VI. to Sir Thomas Hamilton, 9th May 1609, . . . 70
47. King James VI. to Sir Thomas Hamilton, 26th May 1609, . . . 71
48. King James VI. to Sir Thomas Hamilton, 29th May 1609, . . 72
49. King James VI. to Sir Thomas Hamilton, 9th July 1609, . . . 73
50. The Lords of Privy Council to the Earl of Dunbar, 17th November 1609, . . 74
51. The Lords of Session to King James VI., 11th January 1610, . . . 76
52. The Lords of Privy Council to King James VI., 1st February 1610, . 77
53. The Lords of Privy Council to King James VI., 10th August 1610, . . 80
54. The Lords of Privy Council to King James VI., 18th August 1610, . 84
55. The Lords of Privy Council to King James VI., 16th May 1610, . . 85
56. Sir Thomas Hamilton to John Murray, 11th March 1612, . . . 87
57. King James VI. to Sir Thomas Hamilton, 19th March 1612, . . . 89
58. King James VI. to Sir Thomas Hamilton, 6th May 1612, . . 90
59. The Lords of Privy Council to King James VI., 23d May 1612, . . 92
60. The Lords of Privy Council to King James VI., 31st May 1612, . . 93
61. The Lords of Privy Council to King James VI., 10th October 1612, . . 95

62. Sir Thomas Hamilton to King James VI., 14th January [1613?], . *Page* 96
63. Sir Thomas Hamilton to King James VI, 26th November [1612?], . 98
64. Sir Thomas Hamilton to King James VI., 28th January [1613?], . . 100
65. Sir Thomas Hamilton to King James VI., 4th February [1613?], . . 101
66. Sir Thomas Hamilton to King James VI., 7th April [1613?], . . . 103
67. Sir Thomas Hamilton to John Murray, ... 105
68. Sir Thomas Hamilton to John Murray, 28th April [1613?], . . . 106
69. The Lords of Privy Council to King James VI., 28th April 1613, . . 108
70. Offers made by Lord Maxwell, ... 110
71. The Lords of Privy Council to King James VI., 28th April 1613, . . 111
72. The Lords of Privy Council to King James VI., 18th May 1613, . . 113
73. The Earl of Eglintoun to the Lords of Privy Council, . . . 115
74. The Lords of Privy Council to King James VI., ... 117
75. Sir Thomas Hamilton to John Murray, 21st May 1613, . . . 120
76. King James VI. to Sir Thomas Hamilton, and Sir Gideon Murray, 8th June 1613, ... 122
77. King James VI. to Sir Thomas Hamilton, and Sir Gideon Murray, 8th June 1613, ... 123
78. The Lords of Privy Council to King James VI., [no date], . . . 125
79. Sir Thomas Hamilton to John Murray, 26th August [1613?], . . 126
80. Lord Binning to King James VI., 22d October [1613?], . . . 128
81. The Lords of Privy Council to King James VI., 17th May 1614, . . 129
82. The Lords of Privy Council to King James VI., 2d June 1614, . . . 131
83. The Lords of Privy Council to King James VI., 7th June 1614, . . 132
84. The Lords of Privy Council to King James VI., 7th June 1614, . . 134
85. The Lords of Privy Council to King James VI., 7th July 1614, . . 135
86. Lord Binning to John Murray, 2d June [1614?], ... 137
87. Lord Binning to John Murray, 8th July [1614?], ... 139
88. The Lords of Privy Council to King James VI., 22d July 1614, . . 140
89. The Lords of Privy Council to King James VI., 27th July 1614, . . 141
90. The Earl of Caithness to Lord Binning, 25th August 1614, . . . 143
91. The Bishop of Orkney to Lord Binning, 27th August 1614, . . 145
92. The Earl of Caithness to Lord Binning, 5th September 1614, . . . 147
93. The Bishop of Orkney to Lord Binning, 13th September 1614, . . 151
94. Lord Binning to Patrick Hamilton, 13th September [1614?], . . . 153
95. The Lords of Privy Council to the Earl of Caithness, 15th September 1614, . 154

*

96. Lord Binning to Patrick Hamilton, 15th September [1614?], . *Page* 157
97. The Lord Chancellor to Lord Binning, 22d September 1614, . . . 159
98. Lord Binning to the Lord Chancellor, 22d September 1614, . . . 160
99. Lord Binning to Patrick Hamilton, 23d September [1614?], . . . 161
100. Bishop of the Isles to Lord Binning, 23d September 1614, . . . 164
101. Lord Binning to Patrick Hamilton, 28th September [1614?], . . . 167
102. Lord Binning to Patrick Hamilton, 28th September [1614?], . . . 169
103. Lord Binning to Patrick Hamilton, 28th September [1614?], . . . 170
104. Lord Binning to John Murray, penult of September [1614?], . . . 171
105. The Lord Chancellor and Lord Secretary to King James VI., 30th September [1614?], 172
106. Bishop of Glasgow and Lord Binning to King James VI., 30th September [1614?], 173
107. The Earl of Caithness to Lord Binning, 30th September 1614, . . . 174
108. The Lords of Privy Council to King James VI., 1st October 1614, . . 178
109. Extract from Note of Privy Council Proceedings, 5th October 1614, . . 179
110. Bishop of Orkney to Lord Binning, 6th October 1614, . . . 180
111. The Earl of Caithness to Lord Binning, 7th October 1614, . . . 182
112. Andro Martin to Lord Binning, 10th October 1614, ... 184
113. Articles sent by the Earl of Caithness to the Lord Secretary Binning, 10th October 1614, ... 185
114. King James VI. to Lord Binning, 17th October 1614, . . . 187
115. Note of the Conference had be the Secretare and Aduocat with the Erle of Orknay, October 22, 1614, ... 188
116. Lord Binning to John Murray, 4th December [1614?], . . . 189
117. Lord Binning to John Murray, 17th December [1614?], ... 190
118. The Lords of Council and Session to King James VI., 23d December 1614, . 191
119. Lord Binning to John Murray, 26th January [1615?], ... 193
120. Lord Binning to John Murray, ... 194
121. The Lords of Privy Council to King James VI., 28th January 1615, . . 196
122. Lord Binning to John Murray, 29th January [1615?], . . . 198
123. The Earl of Dunfermline to John Murray, 16th March 1615, . . . 199
124. The Earl of Dunfermline to King James VI., 16th March 1615, . . 201
125. Lord Binning and Sir Gideon Murray to King James VI., 18th March [1615?], . 203
126. The Lords of Privy Council to King James VI., 3d April 1615, . . 205
127. The Earl of Dunfermline to Lord Binning. 30th April 1615, . . . 207
128. Archibald Campbell to Lord Binning, 29th May 1615, . . . 211
129. Lord Binning to the Earl of Tullibardine, 13th June [1615?], . . . 213

130. Sir Rorie M'Leod of Harris to Lord Binning, 18th June 1615, . *Page* 214
131. Earl of Tullibardine to Lord Binning, 24th June 1615, ... 217
132. Makneill of Thyneis to the Lord Secretary Binning, 16th June [1615?], . 220
133. Thair names who wes the traitouris to the Hous of Dunevaige, June 1615, . 221
134. The Lords of Privy Council to King James VI., 30th June 1615, . . 222
135. Lord Binning to Sir Rorie M'Leod of Harris, 30th June [1615?], . . 224
136. Sir James Macdonald to Lord Binning, 1st July [1615?], . . . 226
137. Archibald Campbell to Lord Binning, 16th July [1615?], . . . 228
138. [Makneil of Thyneis?] to Lord Binning, 29th July 1615, . . . 229
139. Lord Binning to the Earl of Argyle, 5th August 1615, . . . 230
140. Lord Binning to King James VI., 16th August [1615?], . . . 232
141. Earl of Argyle to King James VI., [no date or place], . . . 233
142. Lord Binning to John Murray, 4th October [1615?], ... 234
143. The Earl of Argyle to Lord Binning, 13th October 1615, . . . 235
144. Lord Binning to the Earl of Argyle, 16th October 1615, . . . 237
145. Lord Binning to Archibald Campbell [October 1615], . . . 238
146. Archibald Campbell to Lord Binning, 20th October 1615, . . . 239
147. Lord Binning to Archibald Campbell, 25th October 1615, . . . 241
148. Lord Binning to the Earl of Argyle, 25th October 1615, . . . 243
149. The Earl of Argyle to Lord Binning, 29th October 1615, . . . 244
150. Captain Wod to Lord Binning, 2d November 1615, ... 246
151. Earl of Argyle to Lord Binning, 7th November 1615, . . . 247
152. Lord Binning to John Murray, 15th December [1615?], . . . 249
153. Lord Binning to John Murray, 22d December [1615?], . . . 250
154. Lord Binning to John Murray, 31st December [1615?], . . . 253
155. Lord Binning to John Murray, 9th January [1616?], . . . 254
156. William Haig to the Earl of Dunfermline, 2d August 1616, . . . 255
157. Lord Binning to King James VI., 21st August [1616?], . . . 256
158. Sir G. Murray to Patrick Hamilton, 22d August 1616, . . . 259
159. Earl of Dunfermline and Lord Binning to King James VI., 28th August 1616, 260
160. The Lords of Privy Council to King James VI., 9th October 1616, . . 262
161. The Lords of Privy Council to King James VI., 9th October 1616, . . 264
162. The Lords of Privy Council to King James VI., 20th December 1616, . . 265
163. Lord Binning to King James VI., 20th December [1616?], . . . 267
164. The Lords of Privy Council to King James VI., 20th December 1616, . . 269
165. Lord Binning to King James VI., 7th March 1617, ... 270

166. The Lords of Council and Session to King James VI., 13th March 1617, . *Page* 278
167. Lord Binning to King James VI., 14th March [1617?], ... 281
168. The Lords of Privy Council to King James VI., 3d April 1617, . . . 285
169. Lord Binning to King James VI., 1st May [1617?], ... 287
170. Note of the Privy Council referred to in the previous Letter as to his Majesty's Reception, 30th April 1617, ... 288
171. Lord Binning to King James VI., 3d May [1617?], . . . 291
172. The Lords of Privy Council to King James VI., 6th May 1617, . . 292
173. Lord Binning to King James VI., 6th May 1617, ... 293
174. Lord Binning to King James VI., 11th September [1617?], . . 295
175. The Earl of Dunfermline to King James VI., 23d December 1617, . . 296
176. Lord Binning to James Douglas, 12th March [1618?], . . . 303
177. The Lords of Privy Council to King James VI., 19th March 1618, . . 305
178. The Lords of Privy Council to King James VI., 4th April 1618, . . 306
179. The Lords of Privy Council to King James VI., 4th April 1618, . . 308
180. The Lords of Privy Council to King James VI., 13th May 1618, . . 309
181. The Lords of Privy Council to King James VI., 13th May 1618, . . 311
182. The Lords of Privy Council to King James VI., 16th July 1618, . . 313
183. The Lords of Privy Council to King James VI., 31st July 1618, . . 314
184. Lord Binning to King James VI., 22d August [1618?], . . 315
185. Lord Binning to James Douglas, 30th September [1618?], . . . 317
186. Note to be schowne to his Maiestie of Matters done in the Counsell of Scotland since the beginning of November 1618 [no date], ... 318
187. The Lords of Privy Council to King James VI., 2d February 1619, . . 321
188. The Lords of Privy Council to King James VI., 23d February 1619, . . 322
189. Lord Binning to King James VI., 8th March [1619?], . . . 324
190. The Earls of Mar and Melros to King James VI., 31st March 1619, . . 326
191. The Lords of Privy Council to King James VI., 10th June 1619, . . 327
192. The Lords of Privy Council to King James VI., 17th June 1619, . . 329
193. The Lords of Privy Council to King James VI., 24th June 1619, . . 330
194. Earls of Dunfermline and Melros to King James VI., 24th June 1619, . . 332
195. Earls of Dunfermline and Melros to King James VI., 8th July 1619, . 333
196. Earl of Melros to King James VI., 16th July [1619?], . . . 334
197. Earls of Dunfermline and Melros to King James VI., 20th July 1619, . 336
198. The Lords of Privy Council to King James VI., 22d July 1619, . . 337
199. The Lords of Privy Council to King James VI., 25th August 1619, . 339

200. The Lords of Privy Council to King James VI., 6th October 1619, Page 340
201. The Lords of Privy Council to King James VI., 19th October 1619, . 342
202. Earls of Dunfermline and Melros to King James VI., 27th October 1619, 344
203. The Lords of Privy Council to King James VI., 27th October 1619, . . 345
204. The Lords of Privy Council to King James VI., 4th November 1619, . 346
205. The Lords of Privy Council to King James VI., 14th December 1619, . 348
206. The Lords of Privy Council to King James VI., 16th December 1619, . . 350
207. The Lords of Privy Council to King James VI., 1st February 1620, . . 352
208. The Lords of Privy Council to King James VI., 3d February 1620, . . 353
209. The Lords of Privy Council to King James VI., 24th February 1620, . 356
210. The Lords of Privy Council to King James VI., 24th February 1620, . . 357
211. The Lords of Privy Council to King James VI., 8th June 1620, . . 358
212. The Lords of Privy Council to King James VI., 15th June 1620, . . 360
213. The Lords of Privy Council to King James VI., 29th June 1620, . . 361
214. The Earls of Dunfermline and Melros to King James VI., 13th July 1620, . 363
215. Certificate in favour of Sir Henry Wardlaw, her late Majesty's Chamberlain, 18th July 1620, ... 364
216. The Lords of Privy Council to King James VI., 20th July 1620, . 365
217. The Lords of Privy Council to King James VI., 23d August 1620, . . 366
218. The Lords of Privy Council to King James VI., 23d August 1620, . 368
219. The Lords of Privy Council to King James VI., 23d August 1620, . . 370
220. The Lords of Privy Council to King James VI., 23d August 1620, . 372
221. The Lords of Privy Council to King James VI., 25th October 1620, . . 373
222. Earl of Melros to King James VI., 23d November [1620?], . . 374
223. Earl of Melros to King James VI., 27th November [1620?], . . . 376
224. The Lords of Privy Council to King James VI., 30th November 1620, . 383
225. The Lords of Privy Council to King James VI., 14th December 1620, . . 384
226. The Lords of Privy Council to King James VI., 14th December 1620, . 386
227. The Lords of Privy Council to King James VI., 21st December 1620, . . 387
228. Earl of Melros to King James VI., 22d December [1620?], . . 388
229. Earl of Melros to King James VI., 20th January [1621?], . . . 391
230. The Lords of Privy Council to King James VI., 8th March 1621, . . 392
231. Earl of Melros to King James VI., 29th March [1621?], . . . 394
232. The Lords of Privy Council to King James VI., 29th March 1621, . . 396
233. Earl of Melros to King James VI., 28th April [1621?], ... 397
234. The Earl of Melros to John Murray, 28th May [1621?], . . . 398

235. The Lords of Privy Council to King James VI., 5th June 1621, . . *Page* 400
236. The Lords of Privy Council to King James VI., 7th June 1621, . . 401
237. Earl of Melros to King James VI., 14th June [1621?], . . . 403
238. Earl of Melros to John Murray, 19th June 1621, ... 404
239. The Lords of Privy Council to King James VI., 21st June 1621, . . 406
240. The Lords of Privy Council to King James VI., 28th June 1621, . . 407
241. Earl of Melros to King James VI., 26th July 1621, . . . 411
242. King James VI. to the Parliament of Scotland, [26th July 1621?], . . 417
243. Earl of Melros to King James VI., 27th July [1621?], . . . 421
244. Earl of Melros to King James VI., 2d August [1621?], . . . 423
245. Earl of Melros to King James VI., 3d August 1621, . . . 425
246. Earl of Melros to King James VI., 4th August 1621, . . . 426
247. Earl of Melros to James Douglas, 8th August 1621, . . . 428
248. The Lords of Privy Council to King James VI., 29th August 1621, . . 429
249. Earl of Melros to John Murray, 3d October [1621?], . . . 431
250. The Lords of Privy Council to King James VI., 10th October 1621, . . *ib.*
251. Earl of Melros to John Murray, 28th October [1621?], . . 432
252. The Lords of Privy Council to King James VI., 29th November 1621, . . 434
253. The Lords of Privy Council to King James VI., 6th December 1621, . 438
254. The Lords of Privy Council to King James VI., 12th December 1621, . 439
255. The Lords of Privy Council to King James VI., 13th December 1621, . . 441
256. The Lords of Privy Council to King James VI., 20th December 1621, . 442
257. The Lords of Privy Council to King James VI., 22d January 1622, . . 444
258. Earl of Melros to King James VI., 31st January 1622, . . . 446
259. The Lords of Privy Council to King James VI., 21st March 1622, . . 447
260. The Lords of Privy Council to King James VI., 21st March 1622, . . 449
261. The names of these quha ar declairit Fugitiues fra the Justice Court, haldin at Drumfreis, the 21, 22, and 23 dayes of Maye 1622 yeiris, . . . 451
262. Earl of Melros to John Murray, 28th May [1622?], . . . 453
263. Earl of Melros to John Murray, 10th June [1622?], . . . 454
264. Earl of Melros to John Murray, 13th June [1622?], ... 455
265. Earl of Melros to King James VI., 13th June [1622?], . . . 456
266. Earl of Melros to John Murray, 16th June [1622?], . . . 459
267. The Lords of Privy Council to King James VI., 16th June 1622, . . 460
268. Earl of Melros to John Murray, 19th June [1622], ... 461
269. The Lords of Session to King James VI., 20th June 1622, . . . 463

270. Sir Thomas Henryson to John Murray, 4th July 1622, . . *Page* 465
271. The Lords of Privy Council to King James VI., 18th July 1622, . 466
272. The Lords of Privy Council to King James VI., 25th July 1622, . . 468
273. John Murray to the Earl of Melros, 27th July 1622, ... 469
274. Sir Thomas Henryson to the Viscount of Annand, 1st August 1622, . . 471
275. Lord Johnstoun to the Viscount of Annand, 6th August 1622, . . . 472
276. The Earl of Melros to the Viscount of Annand, 6th August 1622, . . 473
277. The Lords of Privy Council to King James VI., 28th August 1622, . . 474
278. The Lords of Privy Council to King James VI., 28th August 1622, . . 476
279. The Lords of Privy Council to King James VI., 28th August 1622, . . 477
280. Note by the Earl of Melros as to Sir William Keith's imprisonment, [October 1622?], 478
281. Sir William Keith to King James VI., 9th October 1622, . . . 480
282. The Lords of Privy Council to King James VI., 21st November 1622, . 481
283. The Earl of Melros to the Viscount of Annand, 11th December [1622?], . 483
284. Al[exander] Colville to the Viscount of Annand, 20th December 1622, . 484
285. The Lords of Privy Council to King James VI., 16th January 1623, . . 485
286. The Earl of Melros to the Viscount of Annand, 21st January [1623?], . 487
287. The Lords of Privy Council to King James VI., 23d January 1623, . . 488
288. The Lords of Privy Council to King James VI., 23d January 1623, . . 490
289. The Earl of Melros to the Viscount of Annand, 25th January [1623?], . . 494
290. The Earl of Melros to the Viscount of Annand, 30th January [1623?], . 495
291. The Earl of Melros to the Viscount of Annand, 6th February [1623?], . . 496
292. The Lords of Privy Council to King James VI., 15th February 1623, . 497
293. The Lords of Privy Council to King James VI., 15th February 1623, . . 500
294. The Lords of Privy Council to King James VI., 15th February 1623, . 502
295. The Lords of Privy Council to King James VI., 20th February 1623, . . 503
296. The Lords of Privy Council to King James VI., 22d February 1623, . . 505
297. The Earl of Melros to King James VI., 3d March 1623, ... 506
298. The Earl of Melros to Lord Viscount Annand, 12th March [1623?], . . 508
299. The Lords of Privy Council to King James VI., 31st March 1623, . . 509
300. The Lord Chancellor and Earl of Melros to King James VI., 31st May [1623?], 511
301. The Earl of Melros to King James VI., 7th May [1623?], . . . 512
302. Mr Patrick Hamilton to the Viscount of Annand, 15th May 1623, . . 519
303. The Lords of Privy Council to King James VI., 6th June 1623, . . 520
304. The Officers of State to King James VI., 13th June [1623?], . . . 521
305. The Earl of Melros to the Viscount of Annand, 1st July [1623?], . . 524

306. The Lords of Privy Council to King James VI., 3d July 1623, . . Page 526
307. The Earl of Melros to the Viscount of Annand, 4th July 1623, . . 528
308. The Lords of Privy Council to King James VI., 8th July 1623, . . . 530
309. The Lords of Privy Council to King James VI., 10th July 1623, . . 531
310. The Lords of Privy Council to King James VI., 1st August 1623, . . 533
311. The Lords of Privy Council to King James VI., 5th August 1623, . . 535
312. The Earl of Melros to the Viscount of Annand, 12th August [1623?], . . 538
313. Sir William Seton to King James VI., 12th August 1623, . . . 539
314. The Lords of Privy Council to King James VI., 20th August 1623, . . 540
315. The Earl of Nithisdaill to the Viscount of Annand, 29th September 1623, . . 542
316. The Earl of Nithisdaill to the Viscount of Annand, 29th September 1623, . 543
317. Sir Thomas Hope to the Viscount of Annand, 1st October 1623, . . 545
318. The Earl of Melros to the Viscount of Annand, 2d October [1623?], . . 547
319. The Lords of Privy Council to the Lord Chancellor, 6th November 1623, . 548
320. The Lords of Privy Council to King James VI., 9th December 1623, . . 550
321. Al[exander] Colville to the Viscount of Annand, 11th December 1623, . 551
322. The Lords of Privy Council to King James VI., 20th January 1624, . . 553
323. The Lords of Privy Council to King James VI., 23d March 1624, . . 554
324. The Lords of Privy Council to King James VI., 28th April 1624, . . 558
325. Licence by King James VI. to the Earl of Nithisdale, 21st May 1624, . 559
326. The Earl of Nithisdale to the Earl of Annandale, 28th May 1624, . . 560
327. The Lords of Privy Council to King James VI., 15th June 1624, . . 561
328. The Lords of Privy Council to King James VI., 15th June 1624, . . 563
329. The Lords of Privy Council to King James VI., 16th June 1624, . . 565
330. The Lords of Privy Council to the Prince of Wales, 16th June 1624, . . 567
331. The Lords of Privy Council to King James VI., 25th June 1624, . . 569
332. The Lords of Privy Council to King James VI., 29th June 1624, . . 571
333. The Lords of Privy Council to King James VI., 1st July 1624, . . 572
334. The Lords of Privy Council to King James VI., 1st July 1624, . . . 574
335. The Lords of Privy Council to King James VI., 15th July 1624, . . 576
336. Depositions of Robert Ellot as to the intended capture of the Earl of Buccleuch, &c. 27th July 1624, ... 578
337. The Lords of Privy Council to King James VI., 22d July 1624, . . 580
338. The Lords of Privy Council to King James VI., 22d July 1624, . . . 582
339. The Lords of Privy Council to King James VI., 29th July 1624, . . 584
340. The Earl of Melros to King James VI., 31st July 1624, ... 585

341. The Lords of Privy Council to King James VI., 4th February 1625, . . *Page* 586
342. The Lords of Privy Council to King James VI., 4th February 1625, . . 587
343. The Names of the Nobilitie of Scotland, nowe heere to attend the Funerall of Kinge James, May 162, ... 589
344. The Lords of Privy Council to King Charles I., 29th July 1625, . . . 591
345. The Lords of Privy Council to King Charles I., 1st August 1625, . . 592
346. The Earl of Nithisdaill to the Earl of Annandaill, 28th November 1625, . . 593
347. Lord Binning to the Bishop of the Isles, 8th September 1614, . . 594
348. Archibald Campbell to [Lord Binning?], ... 597
349. Sir Oliver Lambert's letter to the rebels, 16th December, . . . 605
350. Copy of Grahame's alledged instructions, 17th November 1615, . . . *ib.*

THE MELROS PAPERS.

I.—KING JAMES VI. TO MR THOMAS HAMYLTOUN.

Trusty and weilbelouit counſellour, we greit yow hertlie wele. Seing Sir Thomas Lyoun of Auldbar, knycht, iuſtlie merites to be depriuit of his place in Seſſioun, for twa ſindrie cauſſis,—ane becaus of his not reſidence, and the vther in reſpect of his ſalang and contemptuous lying at our horne at the inſtance of ſindrie pairtys; quhais enioying of ſic a place in the cheiff jugement ſeate of our realme, carying a great ſklander, we haue thoght meit, that vpoun they tua reaſonis, or ſic vtheris as ye, be aduiſe of our theſaurare, can invent, diuiſe a ſummonds be formalie pennit, intentit and put in executioun aganis him for his depriuatioun, with all convenient diligence; and herewithall that his eſcheat and lyverent be diſponit, a ſummonds be intentit for obtening of ane declaratour thairvpoun. Quhilk committing to your deliberatioun, cair and diligence, as ye will do ws ſpeciall gude feruice, we commit yow to God. From our caſtell of Stirling, this vj of May, 1599.

James R.

To our truſty and weilbelouit coun-
ſallour Mr Thomas Hamyltoun
of Drumcairny our Aduocat.

(*Indorſed*)—Send be Mr Wm. Browne, 7 May 1599.

II.—KING JAMES VI. TO MR THOMAS HAMYLTOUN.

TRUSTY and weilbelouit counſallour, we greit you hertlie wele. Thuriſday nixt the xxiiij of this inſtant, being the day appointit for handilling of the mater of the weſt bordour, we haue thocht meit to will and deſyr you, that ye faill not to be in heir the ſaid day, for ordour taiking in that particular, and vtheris the commoun turnis; as ye will do ws pleafour. Swa we commit you to God. From Halyruidhous, this xxj of Aprile, 1600.

JAMES R.

To our truſty and weilbelouit coun-
ſallour Mr Thomas Hamyltoun
of Drumcarny our Aduocat.

III.—HIS MAJESTIES WARRAND TO DESIST FRA PERSUTE OF THE ERLE OF GLENCARNE.

REX,

MAISTER THOMAS HAMILTOUN of Drumcairne oure aduocat. ſforſameikill as we, vpoun gude reſpectis and conſideratiounes moueing ws, haue renuncit and diſchargit ſimpliciter all actiounes of contraventioun, and vtheris actiounes quhatſumevir, quhilk we haif or may haif, aganes oure traiſt cuſignne, James, erle of Glencairne &c., for quhatſumevir caus or occaſioun bygane, as oure vther lettre ſubſcryuit with oure hand at mair lenth beiris; Quhairfoir it is oure will, and we command yow to compeir and conſent to the regiſtring of oure ſaid vther lettre in the buikis of counſale; and lyikwayes we diſcharge yow of inſiſting in the perſuit of ony caus, aganes oure ſaid traiſt cuſignne in tyme cuming ſimpliciter, and of your offices in that pairt. Subſcryuit with oure hand at the day of 1600.

JAMES R.

IV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Sir,

We, haveing be report reffaueit aduertifment of hir Maiefties difeafe, we thocht it oure dewtye, to repaire in haifte to the Caftel of Striveling, quhaire we remayne, put in guide hoipe of hir Maiefties convalefcing fchortlie, God willing: And being mett and conveynit in counfell, the erle of Mar, laitlye returneit from courte hither, did affirme vnto ws that he had reffaued certane and affured informatioun, that in his abfence with youre hienes, thair wes ane full refolutioun and intentioun concludeit and determinat, be fum of your hienes fubiectis of this realme to haif takin, and be force and violence to haif reft, the perfoun of your Maiefties derreft fone the prince from thefe, to quhais caire and diligence the princes cuftodye, be your maiefties directioun and the faid erlis appoyntment, during his abfence, wes committit; and heirwith the faid erle did proteft vnto ws, that he wald iuftifie and approve the faid accufatioun vpoun hazarde of all perrill that efter micht follow; and thairfoir willit ws to give to him our beft advyfe and counfell heirintill,—feing the intentioun of thefe perfouns vnauthorizeit be your maiefties warrand did not tuiche him fa far in difhonour, as the effectuating of it, micht haif bred your maiefties mifcontentment, procureit the vnquyett eftaite of this cuntrey, and ane generall miflyikeing in the hairtes of all your fubiectes, throw your haill dominiounis; quha for the maift pairt haveing bein acquaynteit with dewtifull and obedient cariage in thair actionis, wald ayther heirby be iuftlye greivit, or than be this example moveit to the lyike mifbehavioure. In quhilk mater we for our pairt being willing to vnderftand your maiefties mynde in that mater befoir that we proceidit thairintill, we defyreit the faid erle be his lettres and informatioun to acquaynte youre maieftie with the particuleris of that caice, and in the mentyme, we fuld haif ane fpeciall regairde and vigilant eie, to haif guide rewll keipit, and vpoun the returne of your maiefties directionis, in this mater or any vther els, we fall continew in that oure intendit refolutioun, to prefer youre maiefties honour and fer-

vice to all hazarde or inconvenient that may enfew. And maift humblie taking our leave, we pray the Almightie God, to keip and preferve your hienes facred perfoun in ane maift happie, bliffed, and profperus eftaite. From your maiefties Caftell of Striveling, be

Your Maiefties maift humble and obedient fubjectis and feruitouris

xij May 1603.

Montroiss.	Mr. Johne Skene.
Fyvie.	Newbotle.
J. Cokburne.	Jo. Prestoun.
Mr. T. Hamilton.	Trakquair.

To his Maieftie.

V.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Moist Gratious Soueraynne,

The erll of Caffillis, hes diuers tymes meanit him felff to the counfaill, craving libertie furth of his prefent warde, quhair he remanis for the vnmanarlie infolence committit be him aganis his wyffe, in prefence of the counfaill. He feamis to be very penitent for that his ouerfight and offens, and he pretendis the neceffitie of mony his weghtie adois within the burgh of Edinburgh, quhairin throu occafioun of his prefent warde he fuftenis, as he allegeis, grite preiudice. Yit becaus it wes your maiefteis pleafour that he fould not be relevit, quhill the knawlege of your heyghnes awne will had thairanent, the counfaill hes hithertillis refufit his releiff; and thairfoir we haue thoght meit heirby, in all reuerence, to befeik your facred maieftie, to latt ws knaw your maiefteis will and pleafour in this mater, that we may conforme our felffis accordinglie thairvnto. And fua, in all humilitie, kiffing your facred handis, we pray God to continew your facred maieftie in helth and welth lang to reignne ouer

ws. Frome your maiefteis burgh of Edinburgh, the fourte of Apryill, 1604.

Your Maiefteis maift humble and obedyent
fubiectis and feruitouris,

AL. CANCELL^S.
W. D. ERLL OF ANGUS.
NEWBOTLE.
R. COKBURNE.
S^R. T. HAMILTON.

To the Kinges moift excellent Maieftie.

VI.—KING JAMES VI. TO SIR THOMAS HAMYLTOUN.

JAMES R.

TRUSTY and weilbeloued coumfallour we great you well. Intending befoir the cuming vp heir of the commiffioneris, to haue fum meating and conference with fic of our counfale of England, to whofe office the materis of the mynt and of the cuftomes do fpecialie belong, ffor refolving vpoun the beft meanis how they may be brocht to fum conformitie in the bounds of the hole iland. And becaus your aduife is fpecialie requifite in thefe materis, as belonging to your office, oure pleafour is, that with all convenient fpeid, yee addreffe your felff to be with ws at Hamptoun courte, betwixt and the xx day of September nixt, bringing with you fic informationis as yee haue, and is able to procure or lerne, in any of thefe tua materis. Heirin faill yee not, as yee wilbe anfwerable to ws, and will vtter your deutifull affectioun toward our feruice. So we bid you fairwell. From our Courte at Afchbye, this xxviij of Auguft, 1604.

To our trufty and weilbeloued
counfallour Sir Thomas
Hamyltoun of Bynnye our
Aduocat &c.

(*Indorfed by Sir Thomas Hamyltoun*)—His Maieftie anent my vp cumming to the Vnion, Aug. 1604.

(*Under*) Ane fchelling fterling.*

* Probably the gratuity given to the bearer of the letter.

VII.—THE LORDS OF PRIVY COUNCIL TO THE LORD HIGH TREASURER.

Efter oure verie hairtlie commendationis to your goode lordſchip, Coline, Patrik and Alexander Bruceis, in the Middilhauch of Huntingtour, being this day callit and perſewit befoir oure ſouerane lordis iuſtice, in the tolbuith of Edinburgh, for the reſſett, ſupplee, intercommuning and aſſiſting of the Clangregour, alſweill within thair awne houſſes, as in diuers vtheris pairtis of the cuntrey, aganis the tennour of the proclamationis maid thairanent. And we knawing thame lykwayes, to be gilty of certane vtheris crymes and offenſſes, committit be thame in diſtructioun of the wodis, yairdis, and parkis of Huntingtour and windois of the place, quhairof the lord of Scone hes the keiping, thay ar become in his maieſteis will for this cryme: And knawing, lykwayes, that thay haue done ſome preiudice to the lord of Scone in his awne geir, and alſweill we, as he, finding it mair meit and expedient that thay be baneiſt the haill boundis of his maieſteis dominionis, nor that ony vther ſeveir pvniſhement be execute vpoun thame, gif be your lordſchipis procurement at his maieſtie, his heynes may be moved to yeild thairvnto. We haue thairfoir ſett doun the forme of his maieſteis will, to be declairit in this mater, quhilk we will requeiſt your lordſchip to gett ſigned be his maieſtie, and to returne the ſame with the firſt occaſioun, quhairthrou the ſamin may be accordinglie putt in execution. And ſua we commit your lordſchip to God. Frome Edinburgh, the xxvj day of Apryll, 1605.

Your Lordſchipis aſſured goode freyndis,

Al. Cancell^s.
Neubotle.
S^r. T. Hamilton.
Jo. Prestoun.

To the Right Nobill our werrye
good Lord the Lord of Barvicke
Lord Great Threaſaurer of Scotland.

VIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Moist Sacred Souerane,

We haue hard by Mr Alexander Hay, of your maiefteis mifcontentment, for the free accefs and reforte, that James Douglas of Torthorwall hes had in this toun; albeit gif your maieftie had bene informit of the treuth of that mater, we think your hynes wald not haue tane fic occafioun of offens. Your maieftie knawis, that thair is nane quha hes entres in that particulair, bot firft your facred maieftie and nixt the pairty, and boith your entreffes wer remoued, afoir we knew or hard of his publict reforte heir. He hes found cautioun to vndirly the law, and thairupoun is relaxt and the pairty hes bene in friendlie dealing with him, offerris reffauit and affuiranceis paft betuix thame, and fua he being a free fubiect and the pairtyis mouth cloifed, we could nawayes ftrait him. In all oure procedingis, we haue a fpeciall regaird to haue your maiefteis peace vniuerfallie obfervit, and the name and memorie of deidlie feidis (quhairwith this cuntrey hes bene fa lang perturbit) aboleifheit and extinguifheit, and we hoip that be the amicable dreffe of the wyfe freindis on ather fyde, this mater falbe fua handlit, as your maieftie fall heir no forder thairof. Giff efter thair aggreement, ony refpett or remiffioun falbe focht, thair fall no thing be done thairin, without your maiefteis knawlege and allowance, and gif James Douglas falbe of new denunceit for this caus, we fall accordinglie proceid aganis him. And fua, praying God to grant your maieftie lang to reignne in helth, welth, and peace ouer ws, we moift humelie tak oure leve. Frome your maiefteis burgh of Edinburghe, the fecund day of Auguft, 1605.

Your Maiefteis moift humble and obedyent
fubiectis and feruitouris,

Al. Cancell^s^. Ross.
Sanctandrois. Glasgow.
Jo. Prestoun. S^r^. T. Hamilton.
Secretar.

To the Kingis moift excellent
Maieftie.

IX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Pleis your Maiestie,

The ernift defyre we haif at this tyme, to heir at all occafionis of your maiefteis goode eftate, and to haif frequent directionis for your heyghnes feruice, hes maid ws to direct this beirare, whofe diligence and fidelitie is not vnknowne to your maieftie, to help the Erll of Dunbaris ouerburding, that he be not putt to the paynes whiche his habilitie may not fuftene, nor your maiefties feruice neglectit, for laik of tymous aduerteifment. It wes vnneceffair for ws to recommend his feruice, or entreat the confideratioun of it, in refpect of the gratious difpofitioun your maieftie hes euir had of all thofe that hes faithfullie fervit. Swa remitting to his fufficiencie the relatioun of the eftait of materis heir, craving pardoun of our prefumptioun, we wifhe your maieftie a lang and profperous reignn, with eternall felicitie. Frome your maiefties palice of Haliruidhous, the faxt day of December, 1605.

Your Maiefteis moft humble and obedyent
fubiectis and feruitouris,

Dunfermeling.
J. Balmerino[T].
Sr. T. Hamilton.

To the Kingis moift excellent Maieftie.

X.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Maist Sacred Souerane,

According to your majefties letter, direct to ws, in Apryll laft, anent the counteffe off Atholl, defyring ordour to be tane, quhairthrow

ſche micht haiff place to perſew in iudgement, all actiones competent to hir, againes the erll off Atholl, hir ſone in law, and his complices, and during the dependance off the pleyes betuix thame, anent ane honorable modificatioun to be grantit for hir ſuſtentatioun. We vpoun hir awin ſute and clam, cauſſit call the parteis beſoir ws, laitlie, the twantie thrid off July inſtant, and efter all impedimentes be horninges, quhairby ſche micht haiff bene repellit from perſute or defence, war removit, and the allegationes off the erll of Athole, the Laird of Cluny, Creichtoun, aſſignay conſtitute to hir eſcheatt and lyfrent, and remanent, hir parteis being weill advyſit and conſiderit be ws, finding the mater off ſic conſequence, and to carie ſic repugnancie to the commoun cours off iuſtice, cuſtumablie obſervit within this your maieſties realme, to yeld to ſic a modificatioun for hir ſuſtentatioun, in maner cravit be hir, without onie probable or relevant ground, we inſtantlie for ſatiffeing of your maieſteis letter, movit the erll off Atholl, the Laird off Cluny, aſſignay to hir lyfrent, and certane vthers off the erll off Atholles ſpeciall freindes, quha war preſent with him, beſoir we proceedit onie forder, to condiſcend and aggrie to ane amicable ſubmiſſioun for thair pairt, that all maters queſtionable, betuix the counteſſe off Atholl and him, micht be componit and ſettellit in freindlie maner; and likuiſe to grant ſic a reaſonable modificatioun for hir interteniment, during the ſubmiſſioun, as we thocht convenient to deſing. Bot having requirit the lyke ſubmiſſioun off the counteſſe off Athoill, ſche alluterlie refuiſſit to enter in termes off ſubmiſſioun with thame; and ſa finding hir off that diſpoſitioun, and not inclynit to a freindlie dres of maters queſtionable, and that be your maieſties laws and cuſtum, ſche micht not obteane hir intent in this perſute, we according to equitie and reaſoun, be our ſentence abſoluit the erll of Athoill, and remanent parteis, quhom ſche convenit from the perſute off modificatioun acclamit be hir, quhairwith we thocht meitt to mak your gratious hienes acquant, being alwayes off opinioun, that ſche can not weill cum ſpeid in thir particulars, vnles maters be freindlie compoſit betuix hir and hir gude ſone, quhom we perceave willing to ſatiffie hir in reaſoun, without proces off law, to quhatſoeuir can be laid to his charge; quhairvnto ſche not being willing for the preſent to accord, we haiff procedit, and miniſtrat iuſtice

as become ws off our office and dewetie. Thus wifcheing vnto your maieftie lang reigne aboue ws in all felicitie, we reft,

Edinburgh, the penult of
July 1605.

Your maift excellent Maiesties maift obedient
fubjectis and fervitouris,

AL. CANCELLS.
P. DUNKELD.
CLERICUS REGISTRI.
J. BALMERINOT.
R. COKBURNE.
SR. T. HAMILTON.
NEUBOTLE.
AL. ELPHINSTON.
BLANTYRE.
HALYRUDHOUS.
ALEXR. HAY.
JO. PRESTOUN.
MAIRCAIRNY.

To the Kingis maift excellent Maieftie.

XI.—SIR THOMAS HAMILTON TO KING JAMES VI.

MOST SACRED SOUERANE,

MY confaued feir, that my filence could not find owt any lawfull excufe, if I fould not aduerteis your maieftie, of the progres and euent of the criminall perfute of Maifters Johne Forbes, Welfche, and vtheris, thair complices, before your maiefties juftice, for thair treafonable declyning your maieftie and your Secret Counfallis jugement, makis my [me] bauld to wryte in that mater ; which, als weill in refpect of ane moft heich poynt, and lairge pairt, of your maiefties authoritie royall, brocht in queftion, be the ignorant and inflexible obftinacie of thefe defendares, as in regaird of the moft cairefull expectatioun of ane great pairt of your hienes fubiectis in this your kingdome, ouerdoutfumlie diftracted, during the

incertane euent thairof, pairtlie be fuperftitious, and pairtlie be fayned zeale to thair profeffioun, and affectioun to thair perfones for thair profeffions faik, being of fo heich and dangerous confequence, as the mifcaireing thairof micht haue exemed ane great pairt of your maiefties fubiectis, from your maiefties jurifdictioun and obedience in maters of doctrine and difcipline, and all vther thingis which thay fould haue pleafed to affirme to be of that nature; and thairwith haue giuen them occafion, and, as it wer, lawfull libertie, or libertie be your maiefties awin lawis and fentencis, to haue menteaned that libertie anis purchaffed and daylie to haue increafed the fame, to the manifeft perrell not onlie of farder impairing, bot, with tyme, of vtter fubuerfioun of your royall power within this kingdome. God having now brocht it to that gude end, that, efter langfum, difficill, and moft contentious trauellis, thay ar conuict be affyfe of that treafonabill declinatour. I fould omit als neceffare ane poynt of my dewtie, as if I had not replyed to their moft probable alledgences, if I fould conceale from your maieftie, that the firft and greateft prayfe of this gude fucces fould be giuen to your maiefties felf, for forefeing this mater to be of fik difficultie and danger, as it requyred the particular directioun of your maiefties awin moft excellent wifdome, be the report and profecution of my Lord of Dumbar, who I am affurit, in all his lyfe wes neuer fo folift for the euent of the tryall of vther mens lyues; for at his heir cumming, finding that mater full, not onlie of forefene, bot alfo of vnexpected difficulties, his caire and diligence thairin hes bene fo affiduall, wyfe and prouident, that having maid fecret choife of this tyme and place, which be effect hes proued moft proper, and fo viuelie expreffed to your maiefties juftice, juftice clerk, and vtheris, members of that court, your maiefties caire of the menteanance of your royall power, brocht in queftioun be that proces, with the vndoubted favour which they micht expect be doing thair dewtie, and moft certane difgrace and puneifment gif in thair default ony thing fould mifcairie; he proceided thairafter to the preparatioun of fufficient forces, habill to execute all the lawfull commandementis of your maiefties counfall, in your feruice, and for that pourpofe hauing brocht with him to this towne, ane very great number of honorabill baronis, and gentilmen of gude rank and wourth, of his kinred and freind-

ſchip, finding, beſyde vther great impedimentis, the cheif perrell to conſiſt in the want of ane honeſt aſſyſe, who, without reſpect of popular fauour, report, threatningis or imprecationis, wald ſerue God and your maieſtie in ane gude conſcience; for knawin default of conſtancie and gude affection in vthers, he wes compelled to cauſe his awin particular and privat kinſmen and freindis, to mak the maiſt pairt of the aſſyſe, who being admittit vpone the ſame, gif he had not dealt in that poynt, but ſcrupuloſitie or ceremonies, to reſolue thame of the wounderfull dowt, whairin, by many meanes, and cheiflie be the thoundering imprecationis of the pannell, and contentious reſiſtance of thair awin aſſociat aſſyſouris, thay wer caſſin, that haill pourpoſe had failled, to oure infinite greif and your maieſties ouer great preiudice. For the gude ſucces whairof, I ſall ever thank God, and euer pray him and your maieſtie, to put ws to als few eſſayes in the lyke caiſſes, as may poſſiblie ſtand with the weill of your maieſties ſeruice, in reſpect of the ſcaircetie of ſkilled and weill affected aſſyſoures in thir caiſſes; for gif my lord of Dumbar had wanted your maieſties moſt prouident directioun, or if we had bene deſtitute of his wyſe and infinitlie ſoliſt diligence and actioun in this pourpoſe, in all mens jugementis it had loſſed, whairin oure miſluke could neuer haue fund any excuſe, which micht aither haue geuin ſatiſſactioun to your maieſtie, or contentment to oure awin myndis. Albeit, oure conſciences and actions did beare ws recorde, that we ſerued with moſt faithfull affectioun and cairefull diligence. Bot now we haue to thank God that it is weill endit, and I moſt humblie to craue your maieſties pardoun for my bauldnes and ouer long letter, whilk ſalbe alwayes ſchort in compariſoun of my long and endles prayers to God, for your maieſties honour, healt, contentment, and long happie lyfe. At Lithgow, the xj January, 1606.

Your ſacred Maieſties moſt humbill and
faithfull ſeruitour,

Sr. Th. Hamilton.

To the Kingis moſt excellent Maieſtie.

XII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Moist Sacred Soueraynne,

Hauing reffaued commandment from your maieftie, to try the meanis of Maifter Johnne Forbes, his verification of that whilk he had writtin to your maieftie, of the behauiour of your heynes chancellair in his foirknawlege, aduyfe, and approbatioun of the lait pretended affemblie at Abirdene, albeit, in the opinioun of mony not of meanift credite and knawledge in this countrey, the mater feamed without example, and not without dangerous confequence, gif ane man in Maifter John Forbes his caice fould be hard to bring in queftioun, the fame and fortune of ane nobilman of fick birth, rank, and authoritie vnder your maieftie as your heynes chancellar. Yet oure moift humble and faithfull dewtys in all thingis to obey your maieftie, and oure monyfauld experienceis of the fingular wifdome and vndouted reafoun, whereupoun all your maiefteis directionis ar infalliblie grounded, haueing moved ws iuftlie to acknawlege the waiknes of oure awne privat opinionis, and reuerentlie to acquiefce, to your maiefteis moir excellent iudgement, and the chancellair not onlie confenting, bot fo earneftlie folifting the exact, diligent, and moift perfyte inquifitioun of all circumftanceis, wherby the fimpill and pure treuth of that haill purpois, myght be moift cleirlie and certanelie difcouered, we affigned ane terme to maifter Johnne Forbes, with fo competent ane fpace for preparatioun, and vfing of his probatioun, as he being fatiffeit thairwith, and haueing wairned all fick witneffes, as he pleafed to infert, in the blank of your maiefteis letter, grantit to him for wairning of ony, whome, he thocht maift able to cleir the trewth of his dilatioun. Vpoun the threttent of this moneth we examined Maifter Walter Balcanquole, Maifter James Balfour, and Maifter Robert Cathcairt, witneffes produceit be Maifter Johnne Forbes, whofe depofitionis we haue fend heirwith to your maieftie, and onlie omitted to examine Maifter Johnne Welfhe, whome, he had alfo requyred to beir witnes, becaus we wer affrayed, that your maieftie fould haif imputed to ws for

ignorance or malice, gif we fould haif examined that man as ane witnes, whofe fame hes reffaued the wound of ane capitall convictioun befoir your heynes iuftice, onlie curable be your maiefteis clemencie. We haif in that refpect abfteined frome examinatioun of him, the rather alfo, becaus albeit he fould afferme, all that is alledgeit be maifter Johnne Forbes that he could fay, he wald onlie be *teftis fingularis*. But vndirftanding that boith the chancellair and Maifter Johnne Forbes declairit that the laird of Leyis, Burnett, wes prefent at thair conference concerning that affemblie, for better tryall of the treuth, we haif of oure office, alfo fworne and examined him, and fend to your maieftie his depofitioun with the reft, wherin we will not prefome to wryte oure opinioun to your maieftie, boith becaus God hes infpyred your maieftie with fo excellent iudgement and fingulair wifdome, as gevis your maieftie moir reddy and perfyte refolutioun in all fick materis nor we ar able to confaue, and als, becaus in fa rare ane caice as this, the fentence can nevir haue ony warrand, whilk may ather, for the qualitie of the perfonis, equitie of the determinatioun, or confequence of the example, be fua fure and vniuerfallie allowable, as when it falbe knawne to haue procedit frome the fontane of your maiefteis royall prudence. And in this oure proceiding humelie requeifting your maieftie gratiouflie to accept of oure faithfull intentioun, we befeik God lang to profper and preferue your maieftie in perfyte helth and contentment. Frome your maiefteis burgh of Edinburgh, the xiiij^th^ of Junij 1606.

Your Maiefteis moift humble and obedyent
fubiectis and feruitouris,

Montrois.	Neubotle.
A. Mar.	Scone.
Doumbar.	Jo. Prestoun.
Fleming.	Sr. T. Hamilton.
Glamiss.	

To the Kingis moift excellent Maieftie.

XIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Moist Sacred Soueraynne,

Haueing now endit this bufynes of Mr Johnne Forbes, we thoght that your maieftie could not be fa fullie fatiffeid by our lettre, of the treuth and euery circumftance of that mater, as by the relatioun of ane of our awne nomber, and thairfoir we haue requeifted this beirair, the lord Fleming, to repair towardis your maieftie, by whome your maieftie wilbe fullie certifeyed of all that hes paft in that mater, vnto whome we moift humelie befeik your maieftie to gif credite. And fua we pray God to bliffe your maieftie with a lang, happie, and profperous reigne. Frome Edinburgh, the 14 of Junij, 1606.

Your Maiefteis moift humble and obedyent
fubiectis and feruitouris,

Montrois.	Neubotle.
A. Mar.	D. Scone.
Doumbar.	Jo. Prestoun.
Glamiss.	Sr. T. Hamilton.

To the Kingis moift excellent Maieftie.

XIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred and most Gracious Souerane,

The parlement appoynted to be haldin in this towne, vpon the firft day of this moneth, being now fo begun, as yifterday, the lordis of Articles wer chofin according to your maiefties letter, fend for that effect to the eftaites, and the roll of the names prefented to thame in your maieftie name, withowt change of any ane, of the haill number recommended to

thame be your maieſtie, or contrare vote of any of all the eſtaites. Theſe lordis of Articles being this day convened, the firſt article prefented to thame wes the ratification of your maieſties prerogatiue, whilk being red with great attention and reuerence of all that wer prefent, wes with fo ioyfull vniformitie and hairtlie confent of the haill number approvin, as thair appeired ane dewtifull contention amang thame, who fould moſt viuelie expres the ȝeale of his moſt feruent affection to your maieſties honour, obedience, and feruice; fum regraiting that it had not bene thair gude fortune, foner, to have offered that declaration of thair dewtie to your maieſtie, vthers profeſſing that thay longed for occafions of geving more effectuall pruiffis of thair loyall deuotion to your maieſties feruice, nor by vourdis of dewtifull recognition; and fum confeſſing that this acknauledging of the princes fouerayne prerogatiue wes dew to all the kingis, that euer rang in this realme, bot fo mekill more to your maieſtie, nor to any vther that euer poſſeſſed that royall dignitie, as be the merite of your maieſties awin peculiar qualities and moſt rare vertewes, thay thocht gif the kingdome had bene electiue, that of all that leivis in this aige, your maieſties felf wald be fund wourthieſt to be chofin be election to reſſaue and poſſes all fouerane power.

Efter whilk happie conclufion of that article, the bifchopis act wes nixt prefented, whilk being curiouflie reafoned be many of the principals in rank and learning of the lordis of Articles, efter exact confideration of all that could be alledgit in that pourpofe, it is fo concluded as be the moſt pairt of lordis of Articles, it is allowed with verie few verie tolerabill exceptions, and les hurtfull nor the bifchopis thamefelfis, and your maieſties vtheris moſt cairefull feruandis did before apprehend; whairin we may withowt vanterie or vntrewth, affirme to your maieſtie, that gif continouall caire and exceiding paynis, had not bene tane to conqueis and conferue all honeſt mens affections to the aduancement of that important feruice, the contentment, whilk now we found vpon this fortunat beginning, and the hope of the lyke gude fuccs in the end of this mayne poynt, had turned to the greateſt greif, that honeſt hairtis can fufteane in the difaftre of thair chairge, whairin we had the refolued oppofition, curiouflie imprented, be the bufie policie of fum malicious brethren, in the myndes of

mony vnfreindis to purge, and the wilfulnes of vthers forefeing thair awin loſſis in the proceiding of this act to ouercum, with the argumentis takin from the ſinceritie of your maieſties intentions, greatnes of thair obligation to your maieſtie, and neceſſitie of the erecting of that eſtait, whilk withowt this help could not ſtand. Nather wanted we croſſes, not onlie be the ſlewth of ſum having entres in it, bot alſo be the indiſcretion of ſum of thair wourdis and behauiour, whilk, becaus it proceided not of malice, bot of raſhnes, or lak of experience, is the more excuſabill, feing the turne is done, as ſall be more particularlie ſignified to your maieſtie, whan it ſall pleas God to grant ws that happines and honour to ſie your moſt gracious maieſtie. In the meantyme we can not omit particularlie to beare witnes to your maieſtie, of the wiſdome and great dexteritie, vſed be my lord Chancelar in proponing, diſpoſing, and directing of maters in ſik maner, as ſerued beſt, to bring all to this gude end, whairin my lord Secretar be his perſuaſiue and pithie reaſoning fecunded him verie diſcreitlie. Oure pourpoſe is to follow the courſe of this gude diſpoſition, whairin we find the lordis of Articles, and the morne, to founde thair affections in the mater of the ſubſidie, God willing, whairin as we find that happie euent whilk we deſyre, and be the haill powers of oure weak jugementis and vttermeſt indeuores of oure trauellis, ſall preas to procure, your maieſtie ſall be certified of the ſucces of it. And as we haue bene baulde to impeſche your maieſtie, with the diſcours of thir thinges, whilk, in reſpect of the difficulties whilk we haue fund and removed, feimis to ws to be brocht in ane gude cours of liklie ſucces. So we mon not conceale ane diſordour fallin furth in this towne, whairvpon, praiſed be God, no great hairme hes followed. That grudge borne be the freindis of the houſs of Eglinton, to the erle of Glencairne and his freindis, is notour to your maieſtie, amangis whome, thair is aſſurance ſtanding, whilk we ſupponed fould haue bene ane ſufficient band to haue ſtayed troubill and inuaſion betuix thame during thair remayning heir at this tyme. Neuertheles vpon tyſday at nicht, immediatlie efter ſupper, the maiſter of Wintoun and his brother ſir Alexander Seton, being accumpanied with nyne or ten, going to the erle of Eglintones ludgeing, rencontered be the way, the erle of Glencairne, accumpanied with threttie or thairby, who in reſpect of the evill

will borne betuix thefe folkis, and him abfteaning from all wilfull occafion of inuafion, his lordfhip being in the beginning of his cumpanie, and the maifter of Winton in the fore end of his cumpanye, paft by vther ane reafonabill fpaice, till fum rafcall feruandis in the end of thair cumpanies, being more malicious and querrellous nor thame felfis, drew thair fwourdis and began ane tumult, whilk having lefted verie long, ended be the great travellis of the townefmen and of your maiefties gairde, withowt any farder fkaith, nor the licht hurting of verie few, and more dangerous woundis of ane Johne Mathie, feruand to the erle of Glencairne. Whilk fact, as it wes verie offenfiue to the haill nobilmen and counfall, in refpect of the tyme and place, fo hes it in particular fo greived my lord Chancelar, as having difchairged his brothers fones, and all that wes with thame, any wayes to cum in his prefence, fo is he als bent as any man leiving, to haue the trewth of the occafion and beginning of that infolence precifelie tryed and condignelie pvneiffed, withowt refpect or fauour of any perfone; whilk the counfall hes begun to do, and will cairefullie profecute, lyke as thay wald haue prefentlie endit it, gif thair earnift defyre to haue thir public turnis, whilk your maieftie hes gevin thame in chairge, rather perfyted at this tyme be the eftaites, nor delayit be interruption of fik maters, as the counfall efter the end of the parlement may more convenientlie do, nor to giue occafion of longer working, to fum, whois onlie caire is indirectlie to difapoynt your maiefties intention in thir prefent effaires. Whairin hoping, that your moft excellent maieftie, in your accuftumed gracious maner, will accept of oure gude meaning and diligence, and not onlie excufe oure weaknes, bot ftrenthin it with the perfection of your moft prudent directions; whilk fall euer be to ws ane inviolabill law and vnchangeabill reule of moft humbill, reddie, and conftant obedience, we befeik God long to beftow and incres all wiffed bliffinges vpon your maieftie, in moft conftant health and perfyte contentment. At Perth, this fourt of July 1606.

Yowr facred Maiefties moft humbill faithfull and
infinitlie bund feruandis, DOUMBAR.
D. SCONE.
SR. T. HAMILTON.

To the Kingis moft excellent Maieftie.

XV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Please your most Sacred Maiestie,

Oure flawnes in making aduerteifment to your maieftie, at this tyme of parlement, of the proceiding of the effaires of this your maiefties kingdome, wer inexcufabill, gif be the progres of thir publict turnis, it did not appeare, that your maiefties faithfull feruandis thocht it ane mair neceffair degrie of thair dewtie, to provyde furelie that your hienes adois fould go weill, nor to fpend tyme, or vfe prepofterous diligence, to kep the idill thankis of firft aduertifares. And thairfore having fuperfeidit to direct this packet, till this mater of fubfidie wes paft in articles, we haue not fo great caufe to thank God for obteaning the taxation, as for the vnfpeakabill affection vttered at the granting thairof, be your maiefties fubiectis of all eftaites to your maiefties moft facred perfone, whois gracious, wyfe and loving letter being red to thame, the hope geuin thairby to thame to inioy thair moft defyred bliffing, in the effectis of your maiefties promeifed repaire to this your natiue cuntrey, did fo ravifh thair hairtis, with moft perfyte contentment, as thay thocht not thair haill guddis ane fufficient pryce, to redeme the ineftimabill lofs and greif of mynde, whilk thay daylie fufteane by your hienes abfence, or the incomprehenfibill meafour of all earthlie bliffingis, whilk, thay promeis to thame felfis be your maiefties gracious prefence in this kingdome, and thairfore haue more willinglie granted, nor we can wourthelie expres, ane taxation of foure pund the pund land, with the conformabill proportion to be payed be the prelates and borrowes for thair pairtes, to be compleitlie payed to your maieftie in foure yeiris, be equall portions, the firft yeiris payment beginnand at Candilmes nixt, and fwa from Candilmes to Candilmes, till compleit payment be maid of the haill fowme, whilk is the lairge doubill of the greateft taxation, that ever wes granted to any prince in this kingdome, whairin it hes bene thocht meit to fuppres the name of the fowme, becaus whan oure peopill hes done far aboue thair power, to fatiffie your maieftie, thair haill vailȝant will be les nor your maieftie wald wifs fould be knawin to ftrengearis. Bot in effect the taxa-

tion will come to foure hundreth thoufand merkis, whilk wes helped be my lord Chancelar, als far as poffiblie he could, be propofition of many great and gude reafons, to induce the eftaites to it, whilk thay moft willinglie imbraced, evrie ane contending to exceid his nichtbour in the expreffing of the hairtlines of his confent; and albeit the difficultie and travellis wer infinit, to bring this mater to this gude poynt in articles, we feir that the darned malice of fum peopill remayning in this towne, for no vther pourpofe, bot to breid ws bufines in thir your maiefties affaires, fall giue ws muche ado to obteane to it, the approbation of the generall houfs of parlement; whairin oure trauellis fall be diligent and faithfull, and hope affuredlie, that the fucces fall not be deftitute of that conftant happines, whairwith God hes heirtofore bliffed all your maiefties interpryfes. Till farder occafion ceafing langer to impefche your maieftie, we moft hairtelie befeik God to blis your moft excellent maieftie, with lang healthfull lyfe, increffing honour, and moft perfyte contentment. At Perth, this faxt of July, 1606.

Your moft facred and gracious Maiefties moft faithfull
and moft obleifed feruandis,

Doumbar.
D. Scone.
Sr. Th. Hamilton.

To the Kingis moft facred Maieftie.

XVI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Moist Gratious and Sacred Souerane,

Your maiefteis two letters, the ane, concerning the inconuenientis, whilkis haue ariffin by the intermiffioun of the ordour eftablifhed by your maieftie, anent the beftowing of one day euery weik, vpoun materis concerning the eftate and commoun weil of this realme, and the vther con-

cerning the bauldnes and libertie, whilk fome nobilmen of this kingdome hes tane to mak moir publict profeffioun of their fals religioun, nor thay did during your maiefteis refidence heir amang ws, wer prefented to your maiefteis counfaill, who wer convenit in a frequent nomber of the nobilitie and clergie, by your maiefteis faithfull and worthie counfellour the erll of Dunbar, who alfwa maid a breif relatioun to ws, of fome repoirtis gevin oute to your maieftie, anent the grudge and mifcontentment whilk your maiefteis fubiectis had confaued, vpoun the granting of the lait taxatioun, and anent the prefent mifreule of the incuntrey, and vnquietnes of the heylandis and low bordouris. Thir letters and creditt of the erll of Dunbar, being reuerentlie hard and confidderit be your maiefteis counfell, and firft, that point tuicheing the grudge and mifcontentment of your maiefteis fubiectis for the taxation, being examinat, and euery manis knowledge of that mater being demandit, we will affuir your facred maieftie, that as that taxatioun wes moift freelie, with the generall applaufe and hairty confent of all the efteatis (no man contradicting) yealdit vnto, without ony appearance of grudge, murmour or mifcontentment, fwa to this hour, thair wes nevir one of your maiefteis counfell, who hes hard ony kynd of quhifpering, concerning that mater, bot a fer greatar quietnes and contentment in this, nor euer wes had, in ony of the taxationis preceding; and we can not bot winder, of the prefumptioun and rafhnes of thofe, who without a ground or warrand wald put your maieftie, in diftruift of the loyaltie and honneft hairtis of your maiefteis faithfull fubiectis of this kingdome, who we ar certane will be moir grevit, that fuche finifter conftructionis ar maid of thame, nor thay ar for the mater of the taxatioun. And thairfoir we wilbe bauld in all humilitie to requeift your facred maieftie to examine this mater moir fchairplie, and to try vpoun what ground, euidence, and prefumptioun, fuche conftructionis ar gevin oute againis your maiefteis goode fubiectis, wherin we doubt not bot your maieftie will find moir folie and rafhnes, nor probabilitie of a treuth.

As to the grouth of the nomber of papiftis, and thair bauldnes to continew in thair erroris, and refufall to hant the preicheingis, and to commvnicat, we affuir your maieftie thair wes nevir ony fuche dilatioun maid vnto ws be the churche, who fould haif gevin ws informatioun in that

mater; alwayes, at this meiting and aſſembley at Lynlythgw, thair is a very goode courſe tane anent the ſuppreſſing of papiſtis, whiche being ſene and allowed by your maieſtie, the executioun thairof ſalbe profequuted without refpect of perſonis, with all extremitie, and no thing dew to your maieſteis counſell, anent that particular, ſalbe omitted nor neglected.

Anent the eſtate of the Heylandis we haif not hard of ony great infolence thair this lang tyme, except onlie, the murther of Kinſawnis men, wherin albeit no complaint nor informatioun wes gevin be the pairty to the counſell, yitt vpoun the firſt brute thairof, and your maieſteis directionis thairanent, delyuerit be your maieſteis ſecretair at his returning, thay directit chargeis aganis the erll of Athoill for exhibitioun of the criminallis, and in reſpect of his diſſobedyence, efter two continwationis granted vnto him, he is denunceit and regiſtrat to the horne, and ane act maid, that no ſuſpenſioun ſalbe granted, whill he firſt enter in warde within the caſtell of Edinburgh; lyke as for quieting of the reſt of the heylandis, the actis of cautioun for the generall band, and perſonall compeirance ar reviſed, and executioun ordanit to pas aganis ſuche as hes not found cautioun, and all other directionis ſo wyiſlie ſett doun be your maieſtie thairanent, and reported by your maieſteis ſecretair, ordanit to be putt in executioun.

We haif had the commiſſionaris of the bordouris afoir ws, and hes ane new dyet appointed to thame, and the ſpeciall baronis and gentilmen of the three marcheis, agane the nynetene of this inſtant, at whiche tyme we hoip that ſuche goode ordour, ſalbe tane for the perfyte ſatling of theſe boundis, as ſall rander vnto your maieſtie ſatiſfactioun.

Archibald M'Coneill being committit to the caſtell of Dunbartone, he hes laitlie brokin warde and eſchaiped, whereupoun the conſtable being convenit befoir the counſell and granting his ouerſicht and negligence, with proteſtationis alwayes of his innocencie, the counſell hes committed him to the caſtell of Edinburgh, whill ye forder knowledge of your maieſteis pleaſour.

The bipaſt ouerſicht, anent the intermiſſioun of the counſell day, for matteris of eſtate ſalbe repaired, and that day ſalbe preceiſlie keipit in all

tyme comeing, wherein no thing falbe treated nor handlit, bot materis importing the quyet of the efteate, and actionis of pairtyis falbe referrit to the thurifdayis counfell.

Your maieftie wilbe gratiouflie pleafed to accept this our excufe in goode pairt, yff we haif not in fo exact forme as your princelie wifdome hes fett doun, performed euery thing belonging to your maiefteis feruice. The defolat efteat of the countrey in regaird of the vniuerfall plague, wes fuche, as we could nevir haif ony fetled refidence, or convenient directing of thingis, requireing a fteidfaft and continuall diligence but intermiffioun. Bot now yff it fall pleis God, as we hoip in his mercy he fall, to ftay the devoiring plague, we hoip with fuche diligence to repair all bigane negligence, as materis falbe done to your maiefteis contentment, and to the peace and goode of this your maiefteis kingdome. And fo ending with oure hairtlie prayeris to God, for your maiefteis lang lyffe, profperous and happy reignne, and eternall felicitie, we reft

Edinburgh, the 16 of
December 1606.

Your Maiefteis moift humble and obedyent
fubiectis and feruitouris,

Montroiss.	Blantyr.
Al. Cancells^s^.	R. Græme.
Wigtoun.	A. Wchiltrie.
J. Lindesay.	S^r^. T. Hamilton.
Kingorne.	Halyrudhous.
D. Scone.	Jo. Prestoun.
Lothiane.	J. Balmerino^r^.

XVII.—SIR THOMAS HAMILTON TO KING JAMES VI.

Please your most Sacred Maiestie,

My vndewtifulnes wer inexcufabill, gif any thing fould occur, conteaning mater of apparent preiudice to your maieftie, whairof, I fould

not with diligence mak your maieſtie aduerteiſed, and thairfore will moſt humblie craive your maieſties pardon and pacience, that I preſume to ſignifie to your hienes, that be occaſion of ane queſtion broght before ws, betwix ane having your maieſties gift of ane baſtardrie, whairvpon he had obteaned declaratour, and ane vther having the gift of that ſame baſtardrie, by my Lord Duke of Lenox diſpoſition, as lord of the regalitie of Santandrois, at ſik tyme as his lordſhip had right to the biſchoprik be your maieſties gift thairof, ratifiet in Parlement. In the diſputation of that cauſe, mention arrayſe of the priuilege of that regalitie, whilk wes affirmit to be ſo ampill, as be ane chartour, whilk they call the goldin chartour, whairof I haue ſene the copie, your maieſties moſt nobill progenitour, King James the ſecund, had geuin to the Biſchop of Sanctandrois and his ſucceſſours, priuilege of regalitie, which amangis mony vther prerogatiues conteaned thir clauſes following, "Cum quatuor punctis et querelis ad noſtram coronam regiam ſpectantibus," and thairefter, "cum itineribus juſticiariæ et Camerariæ etc. Cum parliamento ſolito et conſueto ac monetæ fabrica;" as alſo this vther clauſe. "Inſuper volumus quod inhabitantes, tenentes, aut firmarii terrarum, dicti epiſcopi, aut eorum bona, infra aquas de Forth et Tay commorantes, affuturis temporibus, non attachientur ſeu arreſtentur, ad quæcunque itinera juſticiarii et Camerarii, vel ad quaſcunque curias, pro quacunque tranſgreſſione aut delicto, niſi tantum ad itinera et curias dicti epiſcopi, et quod inhabitantes et tenentes prædicti, a nobis hæredibuſque et ſucceſſoribus noſtris, nec a quibuſcunque noſtris officiariis, nullatenus cogantur in futurum, ad perſoluendum tallias, taxationes, exactiones, vel onera, ſeu aliquod ſeruitium ſeculare. Sic quod tenentes et inhabitantes dictarum terrarum liberi ſint in perpetuum, a quibuſcunque oneribus, auxiliis, priſis, talliagiis, taxationibus et contributionibus, per nos, hæredes et ſucceſſores noſtros, impoſitis ſeu imponendis." Whilkis ar ratified in Parliament and ſince confirmed be the chartours of King James the third, and the quene, your maieſties mother. I gat knawledge alſo, that the clerk of Regiſter in the recherche of the antiquities of this cuntrey, had fund that ſum of your maieſties progenitours had grantit to certane biſchopis, ſecundas decimas, whilk wes declared to be the teynd of the victuallis and prouiſion of the king's

howſe, as of breid, aile, mowton, beif, etc. and the tent pennie of your maieſties caſualties, of certane ſchyres, whilk being writtin in the bouke of his collection of theſe antiquities, whilk he intendis to publeis, wer be my advyſe, verie willinglie deleited and ſuppreſſed be him. Neuertheles, I haue hard ſenſyne, that within thir two geiris, ane man pretending richt to ſum ſik ſecund teyndis, be diſpoſition of the biſchop of Aberdene, perſewed for thame befoir the ſeſſioun, whairby I am induced to ſuſpect, that ſum tyme furder clame may be maid vpon ſuche rightis, whairin if I knew what wer your maieſties royall pleaſure, I ſould be moſt cairefull and diligent to ſie it performed. For gif your maieſties will be, that theſe moſt ſouerane and royall priuileges, onlie proper and dew to your hienes crowne, and gevin from it be ſuche kingis, as wer ſore ſantes to the crowne, ſall remayne with any ſubiect in your hienes kingdome, I ſall vſe your princelie will, as the reule and warrand of my conſent or ouerſicht, if ſo I be commanded. Bot if your maieſtie loue your awin eldeſt ſone, better nor any ſubiect of this kingdome, and reſpect the prerogatiue of your hienes crowne, more then the aduancement of any eſtait whatſoeuer to the preiudice thairof, I ſall oppone my ſelf to that whilk ſall be ſignified to me, not to haue your maieſties allouance, and having warrand to declaire the ſame to the lords of Seſſion, I am certane thay will beare that reuerence and regairde to it, whilk becumis thame: beſydes that I aſſure myſelf, that gif your maieſtie think meit, that any of the biſchopis aither renunce thair regalitie in haill or in any extraordinar priuilege thairof, they will proue ſo thankfull for your maieſties many great and moſt conſtant benefites and fauours to thame, that thay will verie hairtelie do, whateuer ſall ſeame gude in your moſt excellent wiſdome. Your maieſtie may alſo be pleaſed be informed, that the lord of Torphechin affirming, that be his erection he is exemit perpetuallie from all taxations, ſeikis ane command of the counſall to the collectour and clerk of the taxatiounis, to deleit all his landis and his vaſſalis landis, furth of the roll of taxation for ever, the exempill whairof, appeirantlie, will mak mony men curious to eik that clauſe, to the priuileges of thair former infeftmentis, anent whilkis maters, humblie requeiſting that it may pleaſe your moſt gracious maieſtie to ſignifie your gude plea-

ſure, I beſeik God to grant to your maieſtie lang happie lyfe and eternall contentment. At Edinburgh, this 23 Januar, 1607.

Your moſt ſacred Maieſties moſt humbill, faithfull
and bund ſeruand,

Sr. Th. Hamilton.

XVIII.—SIR THOMAS HAMILTON TO KING JAMES VI.

Please your most Sacred Maiestie,

My father haveing reſſauit by your maieſties moſt gracious fauour, ane place in your hienes Seſſioun, whilk geuis him occaſion to beſtow in your maieſties ſeruice, the reſt of that lyfe, whilk according to his moſt bundin dewtie, hes euer bene dedicated by him to that end, as he hes thairby obteaned greater honour and fauour, nor him ſelf or his poſteritie can by thair endeuors any wayes merite, ſo hes your maieſtie, in the hairtis and mouthes of many of your hienes gude ſubiectis heir, reſſaued the juſte commendatioun of your moſt vertuous nature, who of your awin royall motiue hes inclyned to reuairde his ȝeiris, guddis and bloude faithfullie ſpent in your maieſties mothers ſeruice, and that ſincere affection whilk your maieſtie hes knawin in him, to do the lyke and farder in your maieſties ſeruice, to whom, if he or I wer habill to expres by effectis, that thankfulnes whilk in oure hairtis according to oure infinite dewtie we haue vowed to your maieſtie, as your hienes hes kythed the moſt gracious, vertuous and moſt wourthie of all kinges of this aige, ſo ſould your maieſtie be moſt faithfullie, thankfullie and worthelie ſerued, bot oure waiknes forces ws, for lak of meanes and effectis, to haue recours to wiſhis and to beſeik God, who hes geuin your maieſtie ſo great power to do vertuouſlie, and ſo naturall inclination to do graciouſlie, long to preſerue your ſacred maieſtie and your royall poſteritie, in moſt flour-

ifhing and contented pofteritie, and to difapoynt and confound all thefe that intend, or wifh the contrare. At Edinburgh, this 29 of May 1607.

Your moft facred Maiefties moft
obleifed humbill and faithfull
feruand,

Sr. Th. Hamilton.

To the Kingis moft excellent Maieftie.

XIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Pleis your Sacred Maiestie,

We reffaued your maiefteis lettre, anent the particulair of Schir George Ramfay and Thomas Lummifdeane, and accordinglie haif foirborne to gif ony directioun or charge in that mater, bot feing thefe landis whilkis ar gifted be your maieftie to thame, wer evir repute and haldin as debetable, and in taikin thairof, thair patent and gift, exped the great feale of boith kingdomes, it is thocht ftrange be your maiefteis Counfell, that ony fute or proces fould be moved thairupoun, or ony tryale or cognitioun tane yairin be the Exchequer Chancillor, and that your maiefteis officiaris of this kingdome ar fafer ouerfeene and mifknowne, the actioun being commoun to boith, and the tryale proper to coniunct iudgement, be Commiffioun from boith kingdomes: alwayes they haif remittit this to your maiefteis graue and princelie confideratioun, to be directit as your maieftie fall think meit, alfwele for the goode of your maiefteis feruandis as for efhewing of the preiudice, whilk fuche forme of procedour may produce aganis this your maiefteis native kingdome, And fua we pray God to grant vnto your facred maieftie efter a lang, happy and profperous

reigne, eternall felicitie. Frome your maiefteis burgh of Edinburgh, the xix day of Juny 1607.

Your Maiefteis moift humble and obedyent
fubiectis and fervitouris,

AL. CANCELL^S.
R. COKBURNE.
HALYRUDHOUS.
BALMERINO^T.
S^R. TH. HAMILTON.

To the Kingis moift excellent Maieftie.

XX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

PLEIS YOUR SACRED MAIESTIE,

WE reffaued your maiefteis lettre anent the affairis of the Yllis, and hes appoynted the xxiij of this inftant, to the Marques of Huntley, for putting of him to ane poynt, anent the North Yllis, bot in that poynt of the yearlie dewtye, whereupoun we and he contrauertit, your maieftie hes gevin ws no refolutioun. Alwayes feing your maiefteis comptrollair is now to be with your heynes, we remitt that poynt to be refolued vpoun betwix your maieftie and him. Anent the Weft Yllis, thair is ane infeftment of fewferme paft to the erll of Argyll, of the landis of Kintyre, and fett doun be the advife of your maiefteis ordinair officers the Aduocat, and Clerk of Regifters, according to the prouifionis and reftrictionis, formarlie fend vp to your maieftie. Thair hes bene findrie offeris gevin in be Angus M'Coneill, and Sir James his fonne, this laft wynter, anent the Weft Yllis, and cautioun wes promeft for performance of thair offeris, bot thay being remittit to deale with your maiefteis comptrollair, and to gif him fatiffactioun in the fuirtie and cautioun, thay failyeit in that poynt, fua that no certane conclufioun could be tane with yame, as mair am-

plie your maieſteis comptrollair will informe your heynes, as alſua of his particulair dealing with the reſt of the Weſt Yllis, wherin we doubt not, bot he will gif vnto your ſacred maieſtie, contentment and ſatiſfactioun.

Thair hes bene ſome queſtioun betwix the comptrollair and the fermoraris of your heynes cuſtomes, anent ane defaulcatioun and allowance, craved be thame, for the cuſtome of the commodities, paſt in commerce betwix the twa kingdomes fra Nouember 1605 to Nouember 1606, and accordinglie yairefter during the yearis of thair tak, conforme to ane expres conditioun ſpecifeit in thair contract and ſett of the cuſtomes. The cuſtome of the whilkis commoditeis, with the ſuperplus of the impoiſt of wynis, attour that whilk is defeaſit, for furniſſing of noble menis houſſes, extendis within the yeare foirfaid to xxiiij$^{m\ lib}$, according to ane booke produceit be yame, and ſubſcryued with yair handis, contening a particulair note of the ſaidis haill commodityis and wynis, off the whilk ſowme the fermoraris ar content to accept in defeaſance, ten thouſand pundis, or vtherwayes thay crave a toleratioun and libertie, for lifting of the cuſtome. In the firſt poynt, the comptrollair wes very ſtrait, and in the ſecund poynt anent the toleratioun, your maieſteis Counſell wald do no thing, without your heynes allowance; and yairfoir your maieſtie hes to adviſe, whedder it will pleis your heynes to accord to the defalcatioun or toleratioun foirfaid, in whiche, boith the fermoraris ar indifferentlie contented, and whateuir ſalbe your maieſteis will and pleaſour herin, wilbe accordinglie embraceit, and ſua reſting to your maieſteis anſuer in this poynt, we pray God to grant vnto your ſacred maieſtie a lang, happy and proſperous reign and eternall felicitie. From your maieſteis burgh of Edinburgh, the 19 of Juny 1607.

Your Maieſteis moiſt humble and obedyent
ſubiectis and ſeruitouris,

AL. CANCELL^{S}. R. COKBURNE.
HALYRUDHOUS. J. BALMERINO^{T}.
S^{R}. T. HAMILTON.

To the Kingis moiſt excellent Maieſtie.

XXI.—THE LORDS OF THE PRIVY COUNCIL TO KING JAMES VI.

Moist Sacred Soueraynе,

We reſſaued your maieſteis lettre of the xvj of this inſtant, and wer extreame ſory, that your maieſtie ſould haif reſſauit ony miſcontentment in that mater of the Erll of Athoill, wherin we had no vther reſpect bot to juſtice, and the obedyence of your maieſteis lawis, for that warrand not being directit to the Counſaill, bot to the Chancellour, not writtin by ony of your ordinary ſecretaryes deputis, not caſſheted with your maieſteis caſſhett, and being conditionall, that the Erllis cautionaris ſould ſtand good for his reentrie, bred ws ſuſpicioun that it had bene ſurreptitiouſlie purcheſt, no vther ſignificatioun having come of your maieſteis mynd, eyther to the Counſell or Capitayne of the caſtell of Edinburgh, beſyde, that it implyed a great iniuſtice, which is far frome your maieſteis diſpoſitioun, that your Chancellour ſould releve the Erll of Athoill of his warde, and nottheles that his cautionaris ſould ſtand bound for his reentrie, to the whilk thay alluterlie diſaſſentit, and in no reaſoun could be aſtrictit yairunto. All whilkis preſumptionis concurring with the hinderance of your maieſteis ſeruice, for the whilk he wes wardit, wherin thair is nothing done, beſyde the interes of a infinite nomber of creditouris of all rankis, who by his removing oute of the countrey, felt thair awne wrak, and maid ſuche miſerable exclamatioun aganis your maieſtie, and the iniuſtice of the ſaid warrand, we thoght it ſould haue gevin your maieſtie moir contentment, that one ſould attend your maieſteis certane commandment, nor be raſhe in obeying a ſuſpitious warrand, ſo far from your maieſteis accuſtumat regaird to iuſtice. And wheras your maieſtie is miſcontented, with his putting in moir ſtrait warde, ſince that warrand, the caus of it, wes the deſyre of the creditouris, that he ſould not eſchaip, who having lettres of captioun, and commandmentis to the gaird to tak him, whilk thay were content beſoir to ſuperſeid, hoiping, that he ſould not eſhew being arreiſted at yair inſtance, wer eirniſt and did putt yame in executioun, and wher your maieſtie thinkis that a counſellouris houſe

fould fecure ony of your heynes rebellis, except in materis of treafoun, yff your maieftie think that ony fuche thing fould be allowed, yee neid looke for no executioun of juftice in this kingdome, wherein we think thair is mo counfellouris, nor in England, France, Ytalie and Spayne, and yff that nobilman had bene prefent, we knowe he wald haif harbourit none of no qualitye that had not bene anfuerable to your maiefteis lawis: wherupoun we fend for his feruand, who had the keiping of his houfe, and willed him that he fould mak the fame patent to the baillies, according to thair warrand whilk he refufed. So the inopportune exclamatioun of the creditouris, and the hafarde thay apprehendit of thair wrack, maid thame to beg iuftice, in thefe termes of the Lordis of your maiefteis Seffioun, to putt their decreitis till executioun, and the lordis chufeing rather that ane of thair awne nomber, fould fufteane a tuitche in ceremonye, nor to gif occafioun to the creditouris, to haif exclaimed to your maieftie, that be thair tolleratioun and ouerfeing of rebellis, fa mony of thame wer wrackit, thay grantit thair petitioun as a commoun benefit, whilk in reafoun could be refufed to no lauchfull fubiect, and wherof thair is a nomber of preceding obferuationis and examplis, vfit in the lyke caiffes, within counfellouris houfes, and yff thair had not bene a moir fauourable regaird had be your maiefteis counfell to the erll of Athoill his eftate, he had bene by his creditouris laid faft in the tolbuith, wherfra he had gottin no relieff, bot by thair payment or fufficient fuirtye. We wifhe that your maieftie fould be informed, that none of the counfell hes ony particulair aganis the erll of Athoill, bot all wifhis he wer one, that myght fupplee that place, for the honnour of the countrey and goode of your maiefteis feruice, and what the want of fuche a man dois, the miferable eftate of the countrey of Athoill and all the bordouring boundis to it, dois declair. And not aucht dayis fince, Johnne Dow M'Gillichallum, for whome he is anfuerable, hes hocheit and goirit to the laird of Lefmoir, aucht fcoir of nolt, and daylie worfe and worfe is lookit for. Alwayes fence it is your maiefteis pleafour that he be at libertye, we haif advyfed the erll of Mar, thir and all vther refpectis whatfoeuir fett afyde, to putt him free.

And wheras your maieſtie findis fault with the Maſter of Craufurdis repairing to Edinburgh, he wes not bot one day yair, and that ſecreitlie, upoun dealing betuix his pairty and him, and neuir ſeine upoun ony ſtreit in day lyght, and your maieſtie knowis that malefactors may be in Edinburgh, without the Counſellis knowledge, and all that hes bene done aganis that man, alſweill, in his criminall purſute befoir the iuſtice, as befoir the Counſell, proceidit from your maieſteis Counſaill, without the concurſe, informatioun or complaynt of the pairty, and what diligence we haif done, and how mony wayes we haif employed the capitane of the gaird to tak him, we remitt to his awne declaratioun, who is preſent with your maieſtie, lyke as ſa ſone as we gatt knowlege of his beeing in this toun, albeit he wes deidlie woundit and in haſaird of his lyffe, we cauſit a very diligent and ſtrait ſearche to be maid for him, be the baillies, alſweill in James Henderſonis houſe, whervnto he wes caryed efter his hurting, and in mony vtheris pairtis of the toun, where he had his accuſtomed reſſettis, afoir his denunciatioun to the horne, and we examined James Hendirſoun vpoun his great aith, yff he knew quhair he wes, who deponit and declairit, that immediatlie eftir his pauſing that nyght of the combatt, he reteirit him ſelff frome his houſe, bot knawis not whair. We ar alſ free of love to the maiſter of Craufurde, as haitrent to the erll of Athoill, and did no thing till oure knowledge for the one, nor aganis the vther, bot that whilk we hoiped ſould haif gevin your maieſtie contentment, bot we mon beg your maieſteis pardoun, not to tak in ill pairt, that we foirſee your maieſtie, that the lowſenes of that cuntrey, and the miſerable exclamatioun of ſa many creditouris, wherwith we wilbe perturbit for a whyle, will come neirair to your maieſteis earis, yff regaird be not had in this tranſlatioun of the erll, boith to the countreyis quyetnes, and thair ſatiſfactioun, and that your maieſtie wald be pleaſed to direct, that no warrand of conſequence come to ws, bot vnder the handis of your ordinarye ſecretaryis, and authorized with your maieſteis caſſhett, that the officers may be anſuerable, and we haif no caus to ſuſpect yame.

According to your maieſteis directioun, we wryte to Maiſter Robert Bruce, for his reſolutioun in the mater of Gowry, whoſe anſuer returnit

vnto ws, with his awne lettre directit vnto your maieſtie, we haif heirwith ſend vnto your heynes: and ſua craving pardoun of your ſacred maieſtie for this oure lang lettre, we end with our hairty and humble prayeris to God for your maieſteis lang, happy and proſperous reigne. Frome your maieſteis burgh of Edinburgh, the 26 day of Junij 1607.

Your Maieſteis moiſt humble and obedyent
ſubiectis and ſeruitouris,

Al. Cancells.	J. Cokburne.
J. Secretary.	J. Prestoun.
Halyrudhous.	Sr. T. Hamilton.

To the Kingis moiſt excellent Maieſtie.

XXII.—KING JAMES VI. TO SIR THOMAS HAMILTON.

James R.

Trustie and weilbeloved Counſellour we greit you hartiely weill. Whereas at the tyme of Sir John Hamiltons being here, wee did ſett downe an order betwene the marques of Hamilton, and our ſervitour Patrick Maull, for making a ſecuritie to our ſaid ſervitour of the teynds of his awin lands, wherwith the ſaid Sir John Hamilton in name of the ſaid Marques, reſtit well contented. And vnderſtanding, that the ſame is not as yit done, wee ar to deſyre you, to cauſe put an end to that buſynes, and to ſie the ſame performed, according to our will and pleaſure, ſignified thereanent, and not to linger any more tyme, we having iuſt cauſe to finde fault, that the ſame haith bene ſo long delayed alreddy, notwithſtanding of our earneſt directions for diſpatch thairof, which we re-

ferring to your care and dilligence, committ you to God. From our courte at Oatelands, the xxiiij of Julij 1607.

To our truſtie and weilbeloved Counſellour Sir Thomas Hamilton of Monkland Knight, our Advocat.

Indorſed (by Sir Thomas Hamilton)
Anent Panmure, July 1607.

Vnder his Majeſtys Seal.

XXIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Pleis your most Sacred Maiestie,

We haif conforme to your maieſteis directioun in preſence of the Lord Duke of Lennox, at the inſtance of Johnne Naſmith and George Hereot, convenit beſoir ws, the taxmen of the cuſtomes, who finding thame ſelffis challengeit, vpoun reparatioun of the damageis, ſuſtenit be the complenaris, and to aſſotiat thame in the ſotietie of thair tak, whiche wes a mater of very greate conſequence, to the whiche thay could mak na anſuer, except thay were cited beſoir the ordinair iudge vpoun terme of law, and we having no other courſe of proceding, without the voluntair conſent of pairty, could do no moir bot in all humilitie acquent your maieſtie with thair anſuer; and becaus the natur of this complaynt propirlie belongis to the ſeſſioun to certifie your maieſtie, that we ſall

moift cairfullie attend to fie iuftice miniftrat in the mater with all convenient expeditioun, according as [eac]he pairty fall require. Thus humilie craving your maiefteis pardoun, we wifhe your maieftie, efter a lang and profperous reigne, eternall felicitie. Frome your maiefteis burgh of Edinburgh, the 13 day of Auguft 1607.

Your Maiefteis moft humble and obedyent
fubiectis and feruitouris,

AL. CANCELL^S.
J. BALMERINO^T.
S^R. T. HAMILTON.

To the Kingis moft excellent Maieftie.

XXIV.—SIR THOMAS HAMILTON TO KING JAMES VI.

PLEASE YOUR MOST SACRED MAIESTIE,

I HAUE this long tyme bygane, abfteaned to giue accompt to your maieftie of the eftait of the mynes heir, becaus the chairge thairof being deuolued in the handis of Sir Bevis Bulmer, in doing whairof, I refpected more your heighnes fatiffaction nor my awin weill. So fone as be fum fchort experience I did perfaue his humour, I douted not bot his aduerteifmentis wald be more frequent, nor aither fure or conftant, yet that tread being his profeffion, whairwith I wes litill acquent, I thoght it verie unfeimlie for me to mak to your maieftie any information of the eftait and wourth of thefe workeis, contrare to that whilk I vnderftude he did giue owt, alfweil by letters to your maieftie, as by fpeaches to many vthers, of the exorbitant valew thairof: bot exfpecting the euent of his lairge promeiffis to my felf, whairby I wes credulouflie induced to put him in poffeffion of my workes and ftok, I found my felf in end fo mony wayes

fruſtrat be him, alſweill be the maner of his ſtrange proceidings to my diſgrace and preiudice, ſo far as in him lay, as be his inhabilitie to performe theſe condicions, with the faire ſchew and hope whairof, he had at oure contracting allured me to credite him; that he confeſſing, that he had no ſik ſtok, as he had vndertane to advance for furneiſſing the workis, and likwayes regraitting his want of meanis to ſatiſſie my ſelf according to his condicion. Vpon his voluntar renunciation ſend be him to me, I reenterit to the workis in ane troubilſum tyme, great ſuſpicion of the plague being amangis the workmen, whairby the greateſt pairt of thame withdrew thame ſelfis from the workis, efter that I had payed to thame the waiges whilk Sir Bevis wes auchtand to thame, and vthers of thame wer debauchit from the workis be Sir Bevis, for my hinderance, as I am informit. Albeit I ſpaired to ſtrait him with payment to me of his condicion, or ony vther extremitie, notwithſtanding whairof, it being reported be many, that he hes not onlie gevin owt to all men, with whom [he] hes conferrit heir, bot alſo writtin to your maieſtie, that I haue dealt rigourouſlie and iniuſtlie with him, the neceſſar iuſtification of my awin proceidings forcis me to informe your maieſtie of the trewth of our dealing; whilk is, that he having ingyrit him ſelf verie importunelie, to haue ane tak of my workis, vpon his band to advance ane thouſand pund ſterling of ſtok, and to mak quarterlie payment of greater rent to my ſelf nor I wald haue craved, gif his awin offers had not perſuaded me,—I, finding by experience, that he had no ſik ſtok as he had promeiſed, and that his bypaſt actions had tane from him all moyen and credite to purchas money from any man, except that whilk he drew from your maieſtie for bigging of his milnes to ſtamp his gold, whairof thrie thouſand pund ſterling of your heines money hes not broght thrie vnces of his gold, to be ſtamped at your maieſteis mint heir. I hope your maieſtie will not blame me, to haue rather accepted his renunciation of my work, to be profecute to your maieſties benefite, and weill of this your heighnes kingdome, vpon my chairges, nor to haue left my workes waiſt and defert as he hes left your maieſties gold mynes in Craufurdmure, efter his vnproffitabill conſumption of ſo mekill of your maieſties money, without performance of any pairt of his great vndertaking.

As to his affirmation, that I have ſtudied to conceale from your maieſtie the trew wourth of my myne, it wants all likliehood, for it wer madnes in me to preaſe to ſuppres from your maieſtie, the trew availl of that work, whilk being knowne to ſo mony workmen, can not be maid vnknowne to your maieſtie, ſpeciallie, ſeing in all the ſpace of foure moneths of his chairge heir, the eſtait of that myne wes better knowne to Sir Bevis and his ſeruandis nor to any men leivand, during whilk tyme, I remitted all thingis to him, and he wes ſo loath to let my ſelf knaw the eſtait of it, that he preaſſed to haue debarrit perforce, theſe, whom I appoynted to ſie the progres of the workis for me, gif I wald haue ſufferit it. And albeit his ſpeaches be ſo ſtrange, that I will hardlie refer any thing that concernis my credite to him, yet I am aſſurit that he can not deny, that mony tymes I haue earniſtlie ſolifted him to do his vttermeſt indeuores to mak your maieſties dewtie to arryſe, to the greateſt proffeit that poſſiblie could be, to the effect our ſeruice might be the more acceptabill to your maieſtie, whan it ſould bring with it your maieſties ſene advantage. And althogh I did anes perſuade him to ſynne your maieſties pairt, with his awin, vpon his chairges, yet he left of and flatlie refuſit to do it, and without my privitie, wrait to his freindis at court, to purches right of your maieſties pairt, to the intent he might haue it in leaſe, and no vther man might haue the handling of any pairt of that vre bot him ſelf, in ſo far as he vttered great miſcontentment whan he vnderſtude be me, that I wald haue that ſmall portion whilk belonged to me, for the fie of my office, to be wroght be oure countrey peopill, to traine thame vp in the knowledge of handling that whairof he ſtudied ſo curiouſlie, not onlie to conceale the wourth, bot alſo to mak your maieſtie to want your dewtie. For my pairt, in reſpect of his confident and vnliklie ſpeaches, I will be loath to extenuat the wourth of that, whairof the greatnes were my great weill, bot will rather refer it to that exact tryell which your maieſtie ſall pleaſe preſeryve, nor to enter in fouliſh conteſtation with him, anent the certane valew of that myne, whilk nather of ws can trewlie declaire, bot I hope that it ſall proue, God willing, gude and proffitabill, whairin nather my travell nor ſtok ſall be vnbeſtowed for your maieſties commoditie and contentment. Swa humblie craiving your maieſties par-

doun, for my forced langſumnes, to purge my ſelf of the vniuſt calumnies vttered aganis me in this mater, whairin I hope to do your maieſtie gude and acceptabill ſeruice, I beſeik God to bliſs your maieſtie with lang health, proſperitie and contentment. Binning, this 12 Sept. 1607.

Your Maieſties moſt humbill and faithfull
and bundin ſeruand,

Sr. Th. Hamilton.

To the Kingis moſt excellent Maieſtie.

XXV.—SIR THOMAS HAMILTON TO KING JAMES VI.

Please your most Sacred Maiestie,

Knowing that your maieſtie will expect and requyre of me ane diſchairge of my dewtie in performing your maieſties commandement geuin for perſewing the Lord Maxwell, and Sir James Makoneill, for thair treſonabill breaking wairde furth of your hienes caſtell of Edinburgh; becaus I haue hard that ſum, whois opinion may haue place, in ſum of the circumſtances of thair tryell, inclynes to inge that vnles the crymes for the whilk thay wer impriſoned haue bene treaſonabill, that thair break of wairde can not import treaſoun, I haue beine the more ſoliſt to inquyre of thair vther offenſis, which may be found treaſonabill of the law, and albeit be examination and reexamination of Sir James Makoneill, I haue had ſmall aduantage, in reſpect of his reſolution to deny all the poyntis of his crymes, at the ſlauchter of his vncle, and taking of his parentis, whilkis might infer treaſoun, yet I hope that ſufficient information fall verie ſhortlie cum of the trewth of his moſt heynous and vnnaturall factis, from thoſe to whom my lord Chancellar hes writtin to that effect. As to the Lord Maxuell, I haue hard of his raiſing of fyre at Dalfibbill, whan he ſlew Willie Johneſtoun, callit of Eſchieſcheillis,

and ane vther Johneſtoun; bot becaus he hes ſenſyne had the honour to be admitted to your royall preſence, I wald not preſume to ſummond him for that fact, whill firſt I ſould knaw your maieſties mynde thairanent, the knawledge whairof fall lead me to proceid or deſiſt. The progres of the Commiſſionars at the mynes I hope your maieſtie hes hard from thameſelfis, and what I knew, I haue writtin to my lord of Dumbar, becaus I fand him moſt deſyrous to vnderſtand the ſucces of that whilk concernit your maieſties ſeruice and contentment. Swa attending moſt humblie your maieſties farder pleaſour for my direction, I pray God long to bliſſe ws with the continouance of your moſt gracious regne, and your maieſtie with all honour and wiſſed contentment. Edinburgh, this 28 Januar 1608.

Your moſt ſacred Maieſties moſt humbill and bundin ſeruand,

Sr. Th. Hamilton.

To the Kingis moſt Sacred Maieſtie.

XXVI.—SIR THOMAS HAMILTON TO KING JAMES VI.

Please your most Sacred Maiestie,

I haue reſſaued your maieſties letter, declairing the direction ſend be your hienes to Sir Johne Arnot, concerning my workis at the mynes of Hilderſton, and your hienes will, that I ſould conforme my ſelf to the execution thairof. I hope that beſyde the progres of my haill bypaſt actions, euer tending to giue your maieſtie moſt euident pruif of ſo humbill, faithfull and reddie mynde to ſerue your maieſtie, as might procure to me greateſt hope of the continouance and increas of your royall fauour, the promptitude of my ſo willing and hairtlie conſent to your hienes Commiſſionars, to wonne and tranſport ſo great ane quantitie of

my vre of ſuche wourth as thay had chairge to dig, will perſuade your maieſtie, that gif my head, or the heart within my breiſt, wer neceſſar for your maieſtie, I wald beſtow or yeild thame to your hienes, or for your ſeruice, als reddelie, and with als litill regrait, as any ſubiect leivand can do to his prince. And thairfore I moſt humblie beſeik your maieſtie to beleive, that none ſall be found ſo bent as myſelf to fulfill your royall commandements, in diſpoſing upon any thing that is myne, for your contentment.

I dowt not your maieſtie hes bene aduertiſed, what hes bene thoght be the ſubiectis heir of this intended alteration of the eſtait of the mynes, whan I was abſent in England, vpon thair apprehenſion, that the tranſport of the vre furth of this cuntrey, to pairtis that ar not thoght more commodious for wourking of it, may fruſtrat thame of the relief thairby expected, of the great ſcaircitie of money, euerie day increſſing in all the corners of this kingdome; and thairfore fearing leaſt any new and vnaccuſtomed courſe, vſed in this ſubiect, might haue geuin occaſion of greif or grudge, I haue willinglie offered to your maieſties Counſallouris, whom your maieſtie hes chairged with this buſines, more effectual performance of your maieſties will, nor the direct fulfilling of your hienes letter, be the meanis thairin preſcryved could have effectuated; and yet efter ſuche a maner as will cairie les ſchew of noueltie nor the vther, as I hope thay will relait be thair letters. Whilk I moſt humblie beſeik your maieſtie graciouſlie to accept, according to the ſinceritie of my moſt faithfull intention, and als conſtantlie to retreave your maieſties wounted opinion of my great zeale eurie way to ſerue and content your maieſtie, as I am confirmit in my belief, that your maieſtie will not onlie deale juſtlie, bot moſt royallie and bontifullie with me, who, be the prouidence of God, being maid the inſtrument to diſcouer to your maieſties honour and benefite, the greateſt and moſt excellent bliſſing, whilk the bowels of the earth hes produced, for the reputation and greatnes of any monarche, thir many yeires bygane, I do moſt confidentlie aſſure my ſelf, that your maieſties beneficence to me ſall not onlie anſwer to the proportion of your preceiding liberalities, euer exceiding the merite of mens ſeruices, bot in this raire caice ſall ſurpaſſe your ſelf, who naturallie

excellis all vther princes in that moſt royall vertew. I haue this day hard that the lairgenes and riches of the veyne arryſis eurie day more hopefull, whairof I thank God, and beſeik him to grant your maieſtie moſt happie incres of all honour, health and contentment. Edinburgh, this 29 Jan. 1608.

Your facred Maieſties moſt faithfull and
moſt humbill feruand,

Sr. Th. Hamilton.

To the Kingis moſt facred Maieſtie.

XXVII.—SIR THOMAS HAMILTON TO KING JAMES VI.

Please your most Sacred Maiestie,

As I am commanded be your maieſties letter of the ellevint of this moneth, I fall, God willing, repaire to your maieſtie, with all conuenient diligence, and bring with me the extract of the grant of the myne which your hienes requyres; and as it hes euer bene in all my preceiding journayes my greateſt contentment, confort, and deſyer, to ſie your maieſties moſt gracious face, ſo at this tyme haue I greateſt reaſoun to wiſh to my ſelf that happines, hoping, that whan it fall pleaſe God and your maieſtie to grant me that gude occaſion, I fall be habill, be declaration of the motives and maner of my proceiding in this mater of the mynes, (whilk to my infinit regrait and forrow I heir hes offendit your maieſtie) if not to iuſtifie my proceidingis, whilk I will neuir preſume to do, ſeing thay ar found vndewtifull in your maieſties moſt iuſte and excellent jugement, at leaſt to find that gudenes and fauour in your maieſties moſt gracious eyes, that my errour may be found ignorant and not willfull; for I proteſt to God, that or I had thoght, far les had wittinglie done, anything, that might have offendit your maieſtie, I had rather the

earth had ſwallowed me quik. What my ſupplication to the Counſall dois proport, I will refer to the writ, becaus I heir that your maieſtie hes commanded it to be ſend to your hienes. Bot the cauſe that moued me to preſente it, wes the information I had, that Sir Bevis Bulmer, whois great malice aganes me, hes bene mony wayes manifeſted, wes dealing with ſum of my nightbours, to clame right to my landis and mynes for my vexation, and trauelling to perſuade his collegues to joyn with him in wryting to your maieſtie, and ſum nobilmen at court, to procure ane prohibition to me, to reenter to the poſſeſſion of the myne, efter thay had fulfilled thair commiſſion, and ſum warrand to him ſelf, or ane to his behoue, to enter to the poſſeſſion of theſe workes; who having pretended ane right to all the golde and ſiluer mynes of this kingdome, and thinking no man capabill of any ſmall pairt of that, whairof the haill wes litill aneuch to him ſelf, becaus he had no reaſon to poſſeſſe any thing thair to my knauledge, longer nor he had wonne the quantitie of vre expreſſed in the commiſſion, whilk I knew wes done before I offered my ſupplication to the Counſall, I ſuſpected not that any offence ſould thairby have enſewed, ſeing I had neuer hard that it wes your maieſties mynde, that I ſould any longer want the poſſeſſioun of the workis, nor thay had wonne the ten tunnes of vre: and vpon that occaſion having obteaned the Counſallis warrand, whan your maieſties letter came thairefter, commanding Sir Johne Arnot to tak poſſeſſion of the earth workis, it wes ſo reddelie and effectually obeyed, that evin than he diſplaced all my ſeruandis from the myne, cloſed and neidnailled the mouthes of all the ſchaftis, except ſic as were neceſſar for voyding the water from the myne, whilk he hes cauſit be done, be men fied and payed be him, who and no vthers daylie wourkis thairat: ſo that the onlie and full poſſeſſion is in his perſone, and I and all myne vtterlie ſecludit thairfra; and gif I had knowne that the preſence of any of myne that day, or any imaginarie ſchew of poſſeſſion, might have ſo offendit your maieſtie, as now I heir it dois, I ſould ſoner have offered to haue bene buried in the boddome of the work, nor to haue meanit to any poſſeſſion to your maieſties miſcontentment, whilk nather my bodie, mynde, nor fortune can ſufteane, whilk all dependis vpon

your maiefties gracious fauour, and ar and euer fall be, fubmitted to your maiefties gude pleafour, as to the moft fauorabill and gracious juge I can have recourfe to in this earth, whair I fall pray God, long to preferue your maieftie in all wifhed honour, profperitie, and contentment. Edinburgh, this 19 Feb. 1608.

Your moft facred Maiefties moft humbill
and bund feruand,

Sr. Th. Hamilton.

To the Kingis moft facred Maieftie.

XXVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Gracious Souerane,

Wheras your maiefteis faithfull fubiect, Maifter Thomas Craig, having now in his latter dayis, with great travell, trouble and tinfall of the tyme dew to his calling, writtin findrie volumis, alfweill thofe entitulat de Feudis, as diuers otheris, heichlie importing your maiefteis honnour, the credite and eftimatioun of this your maiefteis ancient kingdome, and the particulair benefeit of your maiefteis fubiectis, for thair inftructioun in the lawis and practique of this cuntrey, we can not bot recommend his panes and trauellis to your maiefteis princelie confideratioun, that as the fame ar worthy to be recordit to the pofteriteis, fwa, it wald pleis your facred maieftie, according to your accuftomed princelie difpofitioun, and fauorable regaird towardis all your weill deferving fubiectis, efpeciallie thofe, who, be thair vertew and leirning, doeth honnour thair prince and cuntrey, to remember the relict and bairnis of the faid Maifter Thomas, with fuche a teftimonie of your maiefteis fauour and liberalitie, as to your princelie wifdome fall feame expedyent, conforme to your maiefteis awne pleafour, teftifeit be your lettre directit to the faid Maifter Thomas

befoir his deceis : as alfwa, that your maieftie wald be pleafed to affift and further the impreffioun of thir werkis, quhairthrow the famin throw laik of moyen perifhe not. And fwa craving pardoun of your facred maieftie, for this oure prefumptioun, we pray God to bliffe your facred maieftie and your royall progeny, with all felicitie. Frome your maiefteis burgh of Edinburgh, the xiiij day of Aprile 1608.

Your Maiefteis moft humble and obedyent
fubiectis and feruitouris,

AL. CANCELL[S].	A. DRUMMOND.
HALYRUDHOUS.	EDZELL.
BLANTYRE.	JO. PRESTOUN.
J. BALMERINO[T].	S[R]. TH. HAMILTON.

To the Kingis moft excellent Maieftie.

XXIX.—THE EARL OF DUNFERMLINE AND SIR THOMAS HAMILTON TO KING JAMES VI.

MOST SACRED SOUERANE,

HAUEING prefentlie reffaued this aduerteifment, of the treafonabill infurrection of Odochartie, and burneing of Derry in Ireland, we haue thoght that the firft pairt of oure dewtie wes to mak your maieftie aduerteifed with the greateft fpeid that could be. Oure information pairtlie dependis vpon the tenour of this letter of Rees Caytmor, whilk we haue fend heirwith to your maieftie, and pairtlie vpon the report of ane Scottifman, Fred. Nellar in Derry, who being ane ey witnes of that defolation, hes relaited to ws the particulars conteaned in the note fent heirwith to your maieftie. This tyme of vacance and bypaft quyetnes, breiding in all mens hairts affured hope of fecuritie, in all the pairtis of your

maiefties dominions, hes moved the lords of your maiefties Counfall to retire thame felfs to thair awin houfes in the cuntrey, bot we ar prefentlie to difpatche meffingers for thame, and luking for the prefence of ane fufficient number, fall refolue, God willing, be thair advyce vpon fuche groundes as may beft tend to the weill of your maiefties feruice, and quyetnes of your gude fubiectis. We have not hard of any appeirance of Spaniartis or vther ftrengearis vefchellis at Arrane, or vpon any vther coaft of this kingdome. As we fall heir or refolue vpon any vther thing importing your maiefties eftait or feruice, we fall be cairefull to difchairge that dewtie, whilk oure places and your maiefties truft in ws dois requyre. So wifhing to your maieftie all happines and contentment, we humblie kifs your royall hands.

Your Maiefties moft humbill and
faithfull feruands,

Edinburgh, this 24 Apryle 1608.

Dunfermelyne.
Sr. Th. Hamilton.

To the Kingis moft excellent Maieftie.

XXX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

This conuentioun of your maiefteis efteatis, (albeit not fa frequent in nomber as we expectit) held the 20 of this inftant, vnto whome the neceffitie of this expeditioun for the Yllis, and the preparatioun maid be your facred maieftie of fchipping and otherwayes for that feruice, being propouned and vrgeit, with all inftance and circumftanceis, whilkis myght further the eirand, the fame abaid a lang and fafheous difpute,

fome obiecting the pouirtie and prefent burdynnis of the euntrey, and fome, other impedimentis tending to the delay of the feruice. In end, thay refolued that thay wald ferue your maieftie conforme to the proclamationis and lawis of the countrey, and altogether difaffentit fra ony contributioun or taxatioun for that feruice. Wherupoun, prefent directioun wes gevin to renew the proclamatioun, with defignatioun of the fame dayis and placeis of meiting contenit thairin. We haif lykewayes gevin directioun for arreifting of the haill fchippis on the coift fyde of Fyffe, and otheris pairtis be north, to attend the tranfporte of your maiefteis forceis to the North Yllis, and for arreifting of the fchippis in the weft to attend the tranfporte of the forceis to the South Yllis, and in euery vther thing whilk may further and advance this feruice, we fall haif efpeciall cair and regaird, and fra tyme to tyme fall mak your maieftie acquented with the progres of oure procedingis. Thair wes lykewayes ane motioun maid and vrgeit, anent the reftrent of the ledder and hydis, wherin thair wes very greate objectioun maid, becaus that is in effect the onlie ftaple wairis of this kingdome, priuilegeit be all your maiefteis predeceffouris to be tranfported, and wherof your maiefteis cuftomes hes great increfce, and after refouning and conference vpon this mater, the efteatis fand, that the derth of boottis and fchone proceidis not vpoun ony difference and oidis that is betuix the prefent pryce of the hydis, and the pryceis whilkis thay gaif fome tuentie or threttie yeiris fyne, nor yitt vpoun occafioun of exportatioun of the fame, bot onlie from the policie of the tannaris and workearis thairof, and thair avaritious and godles doings, in hurte and preiudice of the cuntrey: for remeid wherof, it is inacted in this prefent conuentioun, that commiffionis falbe exped to the magiftratis of ilk burgh, and to fome fpeciall gentilmen to landwarte adioinit to thame, to tak tryale, twyfe euerie yeare, of the pryce of the rough hydis, and of the difference of pryceis betuix the rough and barkit hydis, and accordinglie to fett doun pryceis vpoun the bootis and fhone, with penalteis vpoun the contrauenaris; and wheras hald is tane be that eftate, of fome preiudice fuftenit be thame, by the tranfporting to this cuntrey of thair ledder, and maid bootis and fchoone, the efteatis findis, that the cuntrey hes no neceffitie of fuche wairis, nather is thair ony fuche

quantitie thairof broght heir as may rais or hight the pryceis. And yf it falbe your maiefteis pleafour to caus examine your cuftome bookis, we ar informed that it will prove, that thair hes not bene tua hundreth hydis broght heir frome that cuntrey in one yeir. And the efteatis ar content, yf fo your maieftie think goode, that a reftrent be maid of the fame thair, the lyke being maid heir, for oure nolt and fheepe.

Your maiefteis lettre of the xiij, anent the confynning of the marques of Huntley, the erllis of Angus and Errole, come to oure handis the 20 of this inftant, aboute tua of the cloke in the aftir none, when we wer moft bufy with the efteatis, fua that we had not the commoditie to gif ony directioun thairin that nyght. Alwayes we convenit this morning at fevin of the cloke, and maid a prefent difpatche of that mater, and the marques of Huntley, and erll of Angus, wer boith chargeit afoir nyne of the cloke, and ane officiar fend to the erll of Errole. Thay haif neuir reffauit onie libertie, nor relaxatioun frome thair warde, bot when fome of the bifchoppis wer prefent, and gaif thair advife and confent thairto, and that onlie for fome few dayis, vpoun neceffair confiderationis of thair adois; nather fall thay haif ony ouerfight of ws heirefter, for the requeift of bifchop nor no vtheris, quhile your facred maieftie fignifie your awne will and pleafour thair anent. This is the fume of oure procedings at this meiting; and fua with our humble and hairty prayeris, recommending your facred maieftie, and your royall progenie to God, we reft

Your Maiefteis moft humble and obedyent
fubiectis and feruitouris,

Edinburgh, 21 May 1608.

AL. CANCELL^{S}.	S^{R}. TH. HAMILTON.
LOTHIANE.	J. BALMERINO^{T}.
SCONE.	JO. PRESTOUN.
BLANTYR.	

To the Kingis moft excellent Maieftie.

XXXI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

In refpect of the difficulteis quhilkis we fand at the laft conuentioun of your maiefteis efteatis, anent the profequutioun of your maiefteis feruice in the Yllis, by fuche meanis as we thoght to haue bene leaft grevous to the cuntrey, and moft expedient for the effectuating of the feruice, we, and fome otheris of your maiefteis Counfell, vpoun whome the burdyne of your heynes affairis doeth ly, hes fenfyne had fome privat meitingis amangis our felffs, for the furtherance and advancement of that eirand, and after diuers conferenceis and reafoning thairanent, and vpoun the poffibilliteis of the effectuating of that feruice to your maiefteis contentment and fatiffactioun, we according to the prefent neceffitie, find it expedient that the burdyne of that haill feruice, falbe layed vpoun fuche one perfone, as it fall pleis your facred maieftie to mak chofe of, who making his firft randevous at Yla, thair to attend your maiefteis fchipping and forceis, may frome that, coift the haill yllis, boith fouth and north: and becaus the conveining of the forceis of this kingdome, according to the proclamatioun, is very vncertane, and not liklie to affure your maiefteis feruice in that meafure, whilk apperteyneth, and we being laith that your maiefteis lieutenent, vpoun fa fclender a warrand, fould hafaird his awne credite, or the fortoun of your maiefteis feruice, we haue thairfoir ordanit a prefent levey to be maid, of fyve hundreth men vnder wageis for his gaird, vnto whome we haif appointit ten thoufand merkis for thair monethis pay and tranfporte, the payment whairof, for the firft moneth, is very freelie and willinglie vndertane be your maiefteis comptrollair and thefaurair depute, and for the fecund moneth, we fall mak fick prouifioun as goodlie may be. We hoip that the fynnes of the abfentis frome this feruice fall do that turne and moir, and we fall proceid aganis thame accordinglie. We haif ordanit the firft meiting to be at Ila, vpoun the firft of July nixt, and the meiting of the northland forceis to be at Trouternes vpoun the xxiiij of that moneth. It will

pleis your facred maieftie to caus directioun be gevin to the capitanes of your maiefteis fchippis and fouldiouris who ar to attend this feruice, that thay rander thame felfis obedyent to your maiefteis lieutennent, in euery thing quhilk to the dignitie of his charge apperteyneth, and with the nixt pacquett to latt ws know of your maiefteis chofe for this lieutennandrie. In all otheris particularis concerning this bufynes, your maieftie wilbe fullie certifeit be the Bifchop of the Yllis, who wes prefent with ws at all oure meitingis, vnto whois fufficiencie, remitting all thingis, we end with oure humble prayeris vnto God, to grant vnto your facred maieftie, after a lang and happie reign, eternall felicitie. From your maiefteis burgh of Edinburgh, the 25 Maij 1608.

Your Maiefteis moft humble and obedyent
fubiectis and feruitouris,

AL. CANCELL^S^.	BEWLY, COMPTROLLER.
LOTHIANE.	A. VCHILTRIE.
HALYRUDHOUS.	S^R^. TH. HAMILTON.
J. BALMERINO^T^.	JO. PRESTOUN.

To the Kingis moft excellent Maieftie.

XXXII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

PLEASE YOUR MOST SACRED MAIESTIE,

BEING conuenit at command of your maiefteis lettre to confidder of Margaret Hairtfydis conuictioun, and to returne oure opinioun to your maieftie, how far we think her cryme puniffable be law and iuftice,

we could not haif that affiſtance of oure lawers in this queſtioun which we wald haif wiſſed, becaus Oliphant, Ruſſell, King and Hope, who ar the moſt learned and beſt experienced of that profeſſioun, wer all of counſell to the defendar; and thairfoir, being the moir foliſt, boith to conſidder apairt, and to conſult togidder, vpoun the qualitie of the fact and eſtate of the proces, we haif cleirlie ſene, that the dittay being conſaued coniunctlie to infer thift aganis the pannell, for the fact libellit, which wes found relevant be the judge and aſſeſſouris, the defendar is found guyltie be the aſſyſe of the hail fact libellit, and onlie clengeit of the worde thift, wherin we think the aſſyſe hes verie far miſtakin thair dewitie, being bund in reſpect of the Juſtice interloquutor, finding the dittay relevant, ather to haif fund hir guyltie of the haill cryme, or innocent of the fact libellit; the laſt wherof thay could not do, in reſpect of hir confeſſioun ſubſcryvit with hir hand, and produceit iuditiallie befoir thame. And thairfoir we reſolue that thair conuictioun of hir, comprehendis ane extraordinair cryme, in ſubſtance, litill or no thing different frome thift, bot becaus thay haue clengeit hir of that qualitie, we can not think that be law ony ſik ſentence can be gevin aganis hir, as may bereaue hir of hir lyffe, or ony member, or of hir haill goodis and geir. In conſideratioun whairof, we will moſt humelie adviſe your maieſtie that the dome to be pronunceit aganis her, be your maieſteis directioun, exceid not perpetuall baniſment, confynning or warding with reſtitution of the availl of the jewellis abſtractit be hir, or ony other pecuniall pane, not tending to the enorme hurte of hir huſband, whe is not found guiltie, or acceſſour to hir cryme. And becaus her undeutifull abuſeing of that great truiſt gevin to hir be hir maieſtie, ſhawis how vnworthie ſho wes and is of all credite, and to the effect that the example of hir pvniſhement may be ane reſtreant and terrour to all vther feruandis to attempt the lyke or greatair preiudice to thair princes and maiſteris, of whome thay haif credite, we think that your maieſtie may iuſtlie and lauchfullie ordane hir to be declairit infamous in all tyme comeing; whilk is the greateſt extremitie that we wald preſome to advyſe your maieſtie to command to be vſit in this caiſe; ſubmitting alwayes moſt hume-

lie oure waik opinionis to your maiefteis more excellent iudgement: And fua praying God to preferue your maieftie and your royall progenie in helth and all felicitie, we reft

Your Maiefteis moft humble and obedyent
fubiectis and feruitouris,

Edinburgh, 24 Junij 1608.

Al. Cancells.
Sr. Johne Skene.
J. Balmerinot.
Sr. Th. Hamilton.
Jo. Prestoun.

To the Kingis moft excellent Maieftie.

XXXIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

Thair hes ane vnhappy accident fallin oute heir this morning, betuix fax and fevin of the cloke, by the flaughter of James Douglas of Torthorwall, committit be Williame Steuart, fone to the vmquhile Sir Williame Stewart, who, althoght the principall pairty had aggreit with the faid vmquhile James, and reffauit affythment and fatiffactioun, to his awne contentment, he neuirtheles mifknew this aggreement, paft to the horne, for not geving affuirance, and finding the commoditie of his revenge, this moirning, vpoun the hie ftreit of this burgh, a litill beneth the croce, quhair the faid vmquhile James wes walking fimplie accompanied, he defperatlie fett vpoun him; and with ane ftraik flew him; and the gait being quyet, he efchaiped. We haif caufit charge the pairty according to the commoun forme and ordour, to compeir and anfwer, and incaife of his not compeirance, fall caus denunce him, and thairvpoun fall pas

commiſſionis to the ordinar magiſtratis of the cuntrey, for the perſute of him with proclamatioun, contening a promeis of rewaird, as falbe aggreit vpoun be the Counſell, to ony perſonis that will apprehend him ; and in euery other thing, quhairby we may teſtifie oure affectioun to your maieſteis feruice, and pvniſheing of this foull ſlaughter, we ſall haif a ſpeciall cair and regaird to proceid ſafer as in law and iuſtice we may. And ſua attending what forder directioun it ſall pleis your ſacred maieſtie to gif vnto ws, quhairvnto, in all reuerence and humilitie, we ſall conforme oure ſelfis, we end with our humble prayeris to God for the preſeruation of your ſacred maieſtie in helth and felicitie, and reſtis

Your Maieſteis moſt humble and obedyent
ſubiectis and ſeruitouris,

Edinburgh, xiiij Julij 1608.

Al. Cancell^s^.	Burglie.
Lothiane.	Dudip.
Craford.	J. Balmerino^t^.
Blantyr.	Dowmbar.
R. Cokburne.	S^r^. Th. Hamilton.
Halyrudhous.	

To the Kingis moſt excellent Maieſtie.

XXXIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

Thair is diuers of your maieſteis ſubiectis, who hes complenit of the delay and want of iuſtice, whiche to thair great hurte and preiudice thay haif ſuſtenit, in thair criminall cauſſes, throw the abſence of your maieſteis Juſtice, Maiſter Williame Hairt, who now attendis your maieſtie,

for fome fpeciall occafionis of your heyghnes feruice; and thairfoir we will in all humilitie requeift your facred maieftie to returne him bak fa fone as your maiefteis vtheris affairis will permitt, becaus the neceffitie of his feruice heir tyes him to ane ordinair and daylie attendance, wherin he omittis no panes, diligence, travell, nor chargeis, whiche may approue him to your facred maieftie, and to all your heynes fubiectis worthie of fuche a charge: And feing your maieftie of your awne gratious and princelie difpofitioun, hes evir had a fauourable regaird to all your weill deferving feruantis, we think it neidles for ws in ony caife to recommend him vnto your maieftie. And fua continewing our humble and hairty prayeris vnto God for the preferuatioun of your maieftie and all your royall progenye in helth and felicitie, we reft for euir

Your Maiefteis moft humble and obedyent
fubiectis and feruitouris,

Edinburgh, 15th Sept. 1608.

Wintoun.	Sr. T. Hamilton.
Perthe.	J. Cokburne
Lothiane.	J. Balmerinot.
Bukclughe.	Jo. Prestoun.
J. Torphechin.	

To the Kingis excellent Maieftie.

XXXV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

This beirair, the bifchop of the Yllis, having the occafioun to repair towardis your facred maieftie, we haif thoght meit to accompany him

with this oure teſtimonie and approbatioun of his dewtiful cariage and behaviour in your maieſteis ſeruice in the Yllis, wherin he hes caryed him ſelff with verie goode credite and reputatioun, and is able be his counſaill and aduyſe (inreſpect of his awne credite and freindſhipp amangs the yllifmen), to do vnto your maieſtie goode ſeruice thair. And ſua recommending him vnto your ſacred maieſtie, and moſt humelie beſeiking your heynes to heir him in ſuche thingis as he will propone anent the proſequutioun of this ſeruice, we pray God to bliſſe your ſacred maieſtie with all happynes and felicitie, and reſtis for evir

Your Maieſteis moſt humble and obedyent
ſubiectis and ſeruitouris,

Edinburgh, 13 October 1608.

Al. Cancells.	Al. Elphinston.
Ross.	Halyrudhous.
Bukclughe.	Sr. Th. Hamilton.
Torphechin.	Jo. Preſtoun.
Clericus Registri.	

To the Kingis moſt excellent Maieſtie.

XXXVI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Gratious Souerane,

We reſſaued your maieſteis letter concerning Robert Menteith and the reſt of your maieſteis diſtreſſit ſubiectis in Orknay, wherin your ſacred maieſtie ſeames to blayme ws for refuſeing vnto thame the ordinair courſe of iuſtice, eſpeciallie ane commiſſioun aganis the Erll of Orknay, wherby thay haif bene forceit to repair to your heynes to complene. Far be it frome ws to prove ſo vnworthy of the place and charge whiche your ſacred maieſtie hes concredite vnto ws, as to refuſe iuſtice to ony of your maieſteis diſtreſſit ſubiectis, of whoſe afflictionis and calamiteis, as we are bundin in conſcience befoir God, and in dewytie and allegeance to your ſacred maieſtie, to haif a ſpeciall cair and regaird, and to execute that

pouer and auc[tori]tie wherwith your maieſtie hes armed ws, without ony privat reſpect or conſideratioun. So thir complenaris can not with reſoun burdyne ws with the omiſſioun of ony point of oure dewytie towardis thame, ſeing in the haill courſe and progres of thair actionis, alſwele befoir your maieſties Counſell as Seſſioun, thay reſſaue very fauourable and ſummar juſtice. It is of treuth that thay ar verie havelie diſtreſſit, and when thay haif gottin decreitis and ſentenceis, it faillis in the executioun. Your maieſtie knowis that we haif no forceis to ſend to Orknay, to mak the ſaid erll conformable, bot your maieſteis awne gairdis, who, in reſpect of your heynes awne ſeruice, may not be weill ſpairit. The pairtyis indeid hes ſoght commiſſionis to thame ſelffis, in very ample forme, aganis the ſaid erll, bot becaus ſuche commiſſionis, in the forme and nature as thay crave, ar not vſuall to be grantit, bot in criminall cauſes, and vpoun criminal hoirningis, we haif bene very ſpairing to grant the ſame, and we haif ſome preſumptionis moveis ws to feir the event of the executioun of the ſame, in the forme and natur as it is conſavit. Alwayes we haif ſend the ſame to Sir Alexander Hay, your maieſteis ſecretary, to be ſhowne be him to your heynes, that yf your maieſtie, efter conſideratioun thairof, in the termes as it is ſett doun, find the ſame meit to be exped, it will pleis your maieſtie putt your awne hand thairto, and we ſall follow. And ſua recommending your ſacred maieſtie, with your royall progenye, to Godis divyne protectioun, we reſt for ever,

Your Maieſteis moſt humble and obedyent
ſubiectis and ſeruitouris,

Al. Cancell[s].	Clericus Registri.
Halyrudhous.	T. Sandilandis.
Al. Elphinston.	S[r]. Th. Hamilton.
R. Cokburne.	Jo. Preſtoun.

Edinburgh, the firſt of
Nouember 1608.

To the Kingis moſt excellent Maieſtie.

XXXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Gratious Souerane,

Your maiefteis two lettres, the ane concerning the complaint of the baronis of Lotheane aganis the burgh of Edinburgh, twiching fome new novatioun allegeit begvn be that burgh to the preiudice of thair nyghtbouris, vnder cullour of thair lait infeftment grantit be your maieftie to thame, and the other concerning the diffobedyence of the burgh of Hadingtoun, to that your maiefteis princelie directioun, anent the electioun of thair proueft, wer prefented to ws, being convenit in counfell vpoun the aucht of this inftant: And wheras your facred maieftie feamis to blame ws for not taking notice, and informeing your maieftie of that complaynt aganis Edinburgh, in the haill pointis and circumftanceis of the fame, conforme to your heynes formair directioun fend to ws thairanent, it will pleas your facred maieftie to knowe that thair nevir wes a complaynt, be worde nor wryte, exhibited vnto ws in that mater, fen the 1604 yeare of God, at whiche tyme, the mater then in queftioun reffauit decifioun to the full contentment of the faidis baronis, and fenfyne we haif not hard of ony queftioun or mifcontentment betwix thame for that caus. And yf ony fuche complaint falbe proponed vnto ws, we fall not onlie examine the fame moft exactlie, and certifie your heynes particularlie thairof, bot we fall fa fer proceid thairin, as in law, equitie and iuftice becometh ws; and in the meantyme we haif gevin directioun to the Clerk of Regifter to extract thair infeftment, whiche we fall fend to your maieftie with the nixt pacquett, and we haif heirwith fend to Sir Alexander Hay, your heynes Secretarye, oure decreit and fentence gevin in the fame mater, in the faid 1604 yeare of God, to be confiderit be your maieftie.

Your maiefteis other directioun concerning Hadingtoun is difpatcheit, and we fall fee obedyence gevin accordinglie. The Marques of Huntley and Erll of Errole haif boith enterit in thair wardis within the tyme pre-

fixt vnto thame, and the Erll of Angus hes found cautioun for his depairting of the cuntrey, and, as we vnderſtand is preſentlie on his jornay by land towardis ſome porte in that kingdome, whair he intendis to tak ſchipping. And ſua ceaſſing to trouble your ſacred maieſtie with forder, we pray Almyghtie God to haif your maieſtie and your royall progenye in his bliſſed protectioun. Frome your maieſteis burgh of Edinburgh, the aucht of Nouember 1608.

Your Maieſteis moſt humble and obedyent
ſubiectis and ſeruitouris,

Al. Cancells.	Sr. Th. Hamilton.
Lothiane.	Jo. Preſtoun.
Halyrudhous.	R. Cokburne.
Edzell.	

To the Kingis moſt excellent Maieſtie.

XXXVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Gratious and Sacred Souerane,

We reſſaued your maieſteis lettre of the xxi of Nouember, and hes hard at grite lenth, the relation maid by the reuerend fader in God, and your maieſteis truſtye counſellour, the Archebiſchop of Glaſgow, anent the confeſſioun, and hole circumſtanceis, of that long obſcured and moſt haynous and inexcuſable offence committit be the Lord of Balmerinoch aganis your credite, honour and reputatioun, quhairin as ſenſible and feeling memberis of ſo glorious and gratious a head, finding oure awne inter-

effe, greif and forrow, that your maiefteis moft famous and vnfpot[te]d name, honnour and credite (whiche your heynes to this houre hes fo religiouflie confervit in all puritie), fould haue bene fo vnworthelie, and in fo heich a point broght in queftioun by ony of our nomber, who hes that honnour to be felected be your maieftie to the cheif credite of your feruice heir. So, with moft joyfull, humble and thankfull hairtis to God, we acknowledge that grite bliffing and benefeit, whiche it hes pleafit his divine maieftie to fhowe vnto your heynes, by the detecting and difconerie of that purpois, and vindicating the finceritie and innocencie of your royall hairt, frome all fufpitioun of the wrangous and vniuft imputationis, whilkis your heynes vndirlay thairin, manifefting thairby, his divyne cair and prouidence, whiche he hes evir had over your facred perfone, honnour and eftate, and in what deteftatioun he holdeth all practizeis and purpoifs preiuditiall thairvnto. And wheras in the cenfuring of this fact befoir your maiefteis honourable preuy Counfaill of that kingdome, thay (be your maiefteis directioun we doubt not) haue remittit the full tryall thairof to the lawis and formis of this cuntrey, with mony demonftrationis and oppin fpeecheis, twiching the goode opinioun thay haif of the equitie of our lawis, and finceritie of oure affectionis, in all your maiefteis feruiceis, we haif not onlie infinite occafioun, with all humilitie, firft to thank your facred maieftie, and nixt thame, for fo refpectiue a referuatioun to ws of that whiche your maieftie knowis to be dew to the priuilege and freedome of this your antient and nobill crowne, bot we hoip, God willing, to gif vnto your maieftie a prooffe, that with all fidelitie, cair and finceritie, we fall profequute and follow oute whateuir it fall pleas your facred maieftie in your princelie wifdome to command, alfweele in this as in ony vther thing els, twicheing your heynes in honnour and eftate. And in the meantyme, yf ony of your maiefteis fubiectis hes bene or falbe fo vndeutifull, fooliffhe, and vnworthie, as to gif oute ony fals brwteis or rumours, aganis the vndoubtit treuth and veritie of this mater, or to the extenuating thairof in ony point, we fall not faill fo exactlie to examine, try and pvnifhe the fame, as vtheris falbe terrifeit to fall in the lyke errour thairefter: And fua praying God ftill to vpholde

your maieſtie with all your royall progenie, vnder his divyne and faderlie protectioun and faulfgaird, we reſt for euir

Edinburgh, the faxt of December 1608.

Your Maieſteis moſt humble and obedyent
ſubiectis and ſeruitouris,

AL. CANCELLS.	BUKCLUGHE.
A. MAR.	R. KER.
PERTHE.	JO. PRESTOUN.
SANCTANDROIS.	P. ROLLOK.
LOTHIANE.	ROBERT MELVILL.
J. TORPHECHIN.	J. COKBURNE.
HALYRUDHOUS.	R. COKBURNE.
BEWLY.	SR. TH. HAMILTON.
ROSS.	

To the Kingis moſt excellent Maieſtie.

XXXIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

PLEASE YOUR MOST SACRED MAIESTIE,

As we wer commanded be your maieſties letter, we called Sir Gedeon Murray, and ſum of the laird of Johneſtons freindis, before ws, and having reſſaued ſik information as thay could giue ws, alſweill concerning the Lord Maxwellis burning of ſum houſes, and ſlaughter of ſum men in Dalſibbill, as anent the laird of Johneſtons mourthour. We haue concluded, that ſummondis of forſaltour ſall be raiſed aganis him, for bothe theſe crymes, whilk in reſpect of his being furth of this cuntrey, mon be execute vpon thrieſcoir dayes wairning, and to ſik ane day of compeirance, as ather the lordis of Parlement, or your maieſties Commiſſionaris of Parliament mon ſit: And thairfore we will moſt humblie deſyre your maieſtie to let ws knaw your gude pleaſour anent the tyme your maieſtie will haue him ſummond to. We haue alſo advyſed, as your ma-

ieftie commanded ws, anent the appeirant euent of that perfute, whairin we think the crymes treafonabill, be the actis of Parliament, and fuppone that his guiltines fall hinder him to compeir. Bot becaus we heir that fum defences may be pretended for fum horningis extant, aganes the vmquhill laird of Johnefton, and the reft, who wer flayne be the Lord Maxwell, and fum commiffions, whilkis may perhappis be alledged to have bene his warrandis: in thefe factis we hane directed the laird of Johneftones freindis, and thay hane vndertane to vfe all poffibill diligence to remoue all knowne impedimentis, and to furneis fufficient probation aganis him. And as we fall vnderftand your maiefties farder pleafour heirin, we fall moft faithfullie endeuore oure felfis to fie it dewlie performed, with Goddis grace, whom we moft hairtelie pray long to preferue your moft facred maieftie in helth, contentment and profperitie. Edinburgh, this 14 December 1608.

Your facred Maiefteis moft humbill and
faithfull feruandis,

Sr. Th. Hamilton.
Jo. Prestoun.
Sr. Johne Skene.

To the Kingis moft excellent Maieftie.

XL.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Gratious and Sacred Souerane,

We reffaued your maiefteis proclamatioun anent the reftrent of tranfporting of tymmer, and having red and at grite lenth confiderit the fame, we can not bot rander vnto your heynes oure moft humble thankis for that gratious and confortable rememberance and cair whiche your maieftie doeth ftill hald over this eftate, that althoght your heynes be abfent in perfone, yitt by your lyvelie and holefome directionis in euerie thing whiche may importe the goode of this commounweele, your maieftie is

ever prefent. And wheras the experience of the vndoubtit reafoun, of all your maiefteis directionis myght haue moved ws, without ony forder feruple, to haif exped and publift this proclamatioun in the tenor as it is confavit, yit we haif prefomed to continew the fame fome fchorte fpace, and in all reuerence, to prefent vnto your heynes oure fimple and waik opinioun thairanent, whiche we alwayes fubmitt to your maiefteis moir rair and excellent iudgement. It is notour, and we doubt not, bot your maieftie vnderftandis fufficientlie, that in no tyme bigane within the memorie of man, thair hes bene ony tymmer tranfported furth of this kingdome, the haill cuntrey being almoft naiked, and mony years ago fpoylled of all the tymmer within the fame, fo that now thair is no fuche quantitie thairin, as may ferve the hundreth pairt of the neceffair vfois of the fame, wherby your maiefteis fubiectis hes bene conftrayned, vnder the fauour and toleratioun of other princes, to mak thair prouifion and furniffing of tymmer, and frome foreyne pairtis, to fupplee this defect and want of thair awne cuntrey. And now, yff vnneceffarlie and without ground, caus, or neceffitie, fuche a generall reftrent falbe maid in this kingdome, it is verye probable and liklie that other princes, vpoun notice thairof, fall mak the lyke reftrent in thair boundis, and fua altogidder fpoyle your maiefteis fubiectis of that fo neceffair a benefeit whiche goodlie thay can not want. And thairfoir (with your maiefteis correctioun), we think meete that this generall reftrent fall onlie be aftrictit to fuche particulair wodis as your maieftie intendis to mak vfe of, for your awne fchipping, and vtheris your neceffair adois, and that the proclamatioun mak fpetiall mentioun thairof, wherby we are of opinioun, that it fall euerie wher reffaue a fauourable conftructioun, and that no holde falbe tane thairvpoun, be ony foreyne prince, to mak a generall reftrent within thair boundis, to the preiudice of this cuntrey. And as to the other parte of that proclamatioun, tuiching the prohibitioun of making of irne mylnis in ony woddis or forreftis, or deftroying the tymmer thairof, vpoun the workeing of irne, it is thoght that the preparative thairof may carye fome preiudice to your maiefteis fubiectis, who, by the lawis and cuftome of this kingdome, ar free to mak vfe of thair awne commoditeis within the cuntrey, to thair beft advantage ; and as we vndirftand, thair is not ane irne mylne

within this cuntrey, and the litle quantitie of irne that is maid heir, is only wroght with fcroggis, boughis, and brancheis, and auld ftokis and cuttingis of tymmer, which can ferve for no other vfe, and thairfoir yff it may ftand with your heynes pleafour, we will entreate your maieftie to fuffer that article to reft till this approcheing conuentioun of the efteatis, that then (feing it is a commoun actioun, wherin euery man pretendeth entres), it may be reafouned, difputed, and reffaue auctoritie accordinglie. Bot in this, and euerie other thing els, fubmitting our felffis to your maiefteis princelie cenfure, and humelie craving pardoun of your heynes, for oure prefumptioun to continew that whiche in your excellent wifdome, you haif directit to be done, we end with oure hairtie prayeris to God, for the preferuatioun of your maieftie, and all your royall progenye, in helth and felicitie. Frome your maiefteis burgh of Edinburgh, the 29 day of December 1608.

Your Maiefteis moft humble and obedyent
fubiectis and feruitouris,

AL. CANCELL^S^.	HALYRUDHOUS.
SANCTANDROIS.	R. COKBURNE.
A. MAR.	BUKCLUGHE.
GLASGOW.	SALTOUNE.
BLANTYRE.	ROSS.
JA. B. of ORCADS.	S^R^. TH. HAMILTON.
J. COKBURNE.	

To the Kingis moft excellent Maieftie.

XLI.—KING JAMES VI. TO SIR THOMAS HAMILTON.

JAMES R.

TRUSTIE and weilbeloved counfellour, we greit you weill. Vnderftanding that our lovitt fervitor Sir Patrick Home of Polwart, hes fundry

actions depending before the Lords of Seſſion, intentit at your inſtance for our interes, wee have thought meitt, hereby, to will yow to inſiſt and to be earneſt for the defence and ſuſteyning of our right and interes in the ſame, according to ſuch information as yow ſall receave from the ſaid Sir Patrick thereanent. And als at your inſtance alone, to intent proces of reduction, improbatioun, or any other lawfull forme of perſuite, vpon any ſuch informatioun, as yow from him ſall receave, concerning our right and interes in any of theſe caſes that are to be moved; ffor doeing wherof theſe ſhalbe your warrant, and therein you ſal doe vs acceptable pleaſure and ſervice, and ſo we bid yow farewell. From our court at Roiſton, the 10th of January 1609.

To our truſtie and weilbeloved Counſellor Sir Thomas Hamilton of Binnie, Knight, our Advocat in that our kingdome of Scotland.

Indorſed by Sir Thomas Hamilton.

His Maieſties letter anent my concurrence with the Laird of Poluart in his actions aganis Robert Home of the Heuch.

Under his Majeſtys seal.

Reſſauit from the Laird of Poluart, 10 Feb. 1609.

XLII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Gratious and Sacred Souerane,

This conuentioun of your maieſteis eſteatis, whiche your heynes, oute of your moſt gratious and religious diſpoſitioun, towards the advance-

ment of the trew antient apoſtolik faith, preſentlie profeſſit in this kingdome, and for fuppreſſing the aduerſaries thairof, did appoint to be haldin at this tyme, wes moſt ſolemnelie keipit, be the nobilmen and vtheris, ſelectit be your maieſtie for that purpois, few or none of the haill being abſent, vnto whome thoſe grave, wyſe and godlie overtouris and propoſitionis ſend doune be your maieſtie, alſweele for kirk as policie, being at grite lenth proponed and oppynnit vp, we cannot conceale frome your heynes the exceiding grite joy and glaidnes whiche that haill meiting apprehendit vpoun the conſideratioun of ſo lyvelie taikynis and argumentis of the tender cair and faderlie affectioun, wherwith your maieſtie doeth ſtill affect thame, whairin thay and we do acknowledge oure ſelffis infinitlie bundin to the goodnes of oure God, who, in his grite mercye, hes grantit vnto ws ſo gratious, religious and confortable a king, vnder whoſe bliſſit and happy gouernment we haif ſo grite peace in our kirk, and ſo grite tranquillitie in oure privat eſteatis, that althoght your maieſtie be abſent in perſone, yitt the confortable effectis of your royall preſence, by your royall and holeſome directionis, doeth ever accompany ws; for the whiche, with all dew reuerence, in name of the haill eſteatis (who, with mony proteſtationis, offerit thame felffis reddy with thair haill power and freindſchip to hald hand to the furtherance and executioun of all your maieſteis princelie directionis) we rander vnto your heynes our moſt humble thankis. All thoſe directionis and propoſitionis, bothe for kirk and policie, wer moſt vnanimelie imbraceit, and accordinglie inacted. Onlie that anent the reviſſing, whiche your maieſtie hes ſo gravelie and wyſelie ſett doun in ſeuerall brancheis and headis, hes reſſauit a delay till this approcheing parliament, becaus the panes and pvniſhement, anſuerable to the qualitie of thoſe ſeuerall brancheis and headis, could not, in reſpect of the ſchortnes of tyme, reſſaue a preſent determinatioun. Alwayes commiſſioun is gevin to certane for euery eſtate, to meete and reaſoun vpoun that mater, and to repoirt thair opinioun to the parliament, wherin we ar of opinioun that the ordour ſo wyſelie preſcryved be your maieſtie, ſalbe the ſquair and reule of thair doingis. Off all that wes paſt and enacted at this meiting we haif ſend the copyis to Sir Alexander Hay, your maieſteis Secre-

tarie, to be ſhawne to your heynes: And ſua ending with our humble and hairty prayeris to God for the preſeruatioun of your facred maieſtie, and your royall progenye in all happines and felicitie, we reſt for ever

Your Maieſteis moſt humble and obedyent
ſubiectis and ſeruitouris,

Edinburgh, 28 January 1609.

Al. Cancells.	Lothiane.
Craford.	Saltoune.
A. Mar.	A. Wchiltrie.
Cassillis.	Blantyre.
Doumbar.	Halyrudhous.
Glencairne.	P. Rollok.
Linlythgow.	R. Cokburne.
Wigtoun.	Sr. Th. Hamilton.
Kingorne.	J. Cokburne.

To the Kingis moſt excellent Maieſtie.

XLIII.—SIR THOMAS HAMILTON TO KING JAMES VI.

Please your most Sacred Maiestie,

Haveing reſſaued from the Erle of Dumbar, the Lord Balmerinoes confeſſion of his moſt heynous offenſis, committed aganis your maieſtie, togidder with your maieſties two letters conteaning ſum materiall poyntis of his cairiage, in the practeiſing of that miſcheivous pourpoſe, not conteaned in his confeſſion, I have according to the iuſte and wyſe direction of your princelie letters, formed his dittay heirwith, to be pre-

ſented to your maieſtie, to the effect that theſe treaſonabill crymes, which offered ſo dangerous woundis to your immaculat fame and royall honour, being conſidered be your moſt excellent jugement, that which is imperfyte in my frame of this dittay, may be amended by your maieſties moſt indicious cenſure. I haue alſo reſſaued from my Lord Dumbar, the reſolutions of the graue and learned ciuilians, preſented to your maieſtie concerning this ſame fact, whairin thay haue expreſſed thair ſufficiencie in thair profeſſion and faithfull affection to your maieſties ſeruice, bot being vnacquented with the grounds and courſe of oure criminall iuſtice heir, have leaned to ſum warrandis, whairvpon I dar not weill relye, becaus I foreſie, that I am to perſew ane man more ſkilfull to pleade his lyfe, nor any that wes broght to the bar in this your maieſties kingdome thir hundreth yeiris bygane, and who may expect ſuche affiſtance of the beſt of oure lawers, as many vthers offendours moſt guiltie of hieſt crymes hes fund heirtofore; and albeit, I think that the ſentence gevin aganis him, be his owne conſcience, and the vndeniabill treuth of the cryme confirmed be his owne confeſſion, ſould tak from him all defyre of contradiction, and hope of any gude by his defence, yet knowing it to be my dewtie, to be reddie for the worſt, which he or his affiſtants can be abill to intend, I ſall be cairefull ſo to prepaire all thinges neceſſar for that perſute, as your maieſtie, with Goddis grace, ſall haue full ſatiſfaction by the performance of your royall commandement, in the verie forme and ſubſtance whilk your maieſtie hes preſcryved, gif the Judges do that dewtie, whilk in reaſon and iuſtice thay owe, and I dowt not will faithfullie performe to your maieſtie, ſpeciallie ſeing my Lord of Dumbar is to be ane eywitnes of thair proceidingis, whois caire hes bene ſuche, in directing the firſt pairt of the proces, which lyes to my chairge, and exacting accompt of my diligence thairin, that vſeing the lyke with the reſt of the members of that iugement, as I am aſſured he will, thay will neither get leiſour nor leive to neglect or ouerſie thair dewtie. In my chairge his inſtance ſall be bot ſpurris to ane faſt running hors, yet I can not deny that his jugement hes availled to remark and reforme dyuers thinges to the better. So wiſhing to your maieſtie in this and all vther, your royall diſſeins, moſt honorabill and happie ſucces, and to my ſelf your maieſties

gracious acceptance of the weak indeuours of ane moſt faithfull hairt, and affection in your maieſties ſeruice, I commit your moſt excellent maieſtie to Godds bliſſed protection. Edinburgh, this 9 Febr. 1609.

Your moſt facred Maieſties moſt faithfull
and moſt bunden ſeruant,

Sr. Th. Hamilton.

To the Kingis moſt excellent Maieſtie.

XLIV.—SIR THOMAS HAMILTON TO KING JAMES VI.

Please your most Sacred Maiestie,

Acknouledgeing my ſelf bund in dewtie to rander accompt to your maieſtie of the ſeruices properlie belonging and committed to my chairge, I haue tane the bouldnes to wryte of oure progres in the forfaultours intented aganis the Lord Maxwell, and the memorie of Reſtalrig before the Lordis of Articles. Oure firſt proceiding wes aganis the Lord Maxwell, whairin albeit thair wes no compeirance for the defendar, yet ſum of the Lordis of Articles kything more ſcrupulous and preciſe in ſindrie poyntis of that proces, nor we did foreſie or ſuſpect, and heiring thairefter, that ſindrie of that number had preconſaued hard opinions of Reſtalrigs proces, the knouledge thairof, whilk wroght feir and miſtruſt in the myndes of dyuers your maieſties weill affected ſeruandis, did breid in the Erle of Dumbar ſuche caire and ſeruencie, to remoue theſe impedimentis, that bending his wittis in more paſſionat maner, nor he vſis to expres in common and indifferent maters, he did trauell ſo earniſtlie with the nobilmen and haill remanent Lordis of Articles, and ſolicited ſum of the moſt learned and beſt experimented of your maieſties Counſall to furneis reaſons and light, to the cleiring of the probation of that moſt hay-

nous treafoun, and gaue to my felf fo earnift chairge and furneiffed fo pregnant, judicious, and cleir groundis, to confirme the fummondis, and manifefte the viue circumftances thairof to the worlde, that he left no trauell to me, bot the repetition of the fubftance of his information; to the whilk haveing fo neirlie conformed my difcourfe as poffiblie I could, it pleafed God, that the Lordis of Articles being happelie prepared be the depofitions of dyuers honeft men of the miniftrie, and vther famous witneffis, who recognofcing vmquhill Reftalrigs handwrit in his treafonabill miffiues produced be me, with verie fenfibill and forcibill reafons and caufes, of thair conftant and confident affirmation, that thefe miffiues wer writtin be him. Whan the probation of the fummondis wes referred to the Lordis votes, thay fand uniformallie, all in ane voce, the faid fummondis to be fo cleirlie provin, that thay feimed to contend who fould be abill moft zealouflie to expres the fatiffaction of his hairt, not onlie be moft pithie wourdis, bot be tearis of joy, dyuers of the beft rank confeffing that that whairof thay dowted at thair entrie in the howfe, wes now fo manifeft that thay behoued to efteme thame traitours, who fould any longer refufe to declaire thair affured refolution of the treuth of that treafoun. Sua hoping your maieftie will graciouflie pardoun my boldnes in offering to your maieftie, this rude relation of thir pourpofes, concerning my chairge in your maiefties feruice, I befeik God, who hes fo mercifullie preferued your maieftie from the horribill devyffes of your develifh ennemies, and fo miracouluflie detected thair hellifh practifes, long to protect and preferue your maieftie from all hairmes and dangers, and to grant to your maieftie all happines and contentment. Edinburgh, this 21 Junij 1609.

Your moft facred Maiefties moft bundin
and faithfull feruant,

Sr. Th. Hamilton.

To the Kingis moft excellent Maieftie.

XLV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Gratious Souerane,

The Lord of Scone, your maiefteis lait Comptrollair, compeiring this day befoir ws, complenit of ane havye felander and imputatioun whiche he vndirlyis, by a repoirt maid to your facred maieftie, that he, in the tyme of his comptrollarie, vpoun fome privat conditioun and pactioun, betwix him and the cuftomary, had defraudit your maieftie yeirlie of the foume of v. m. merkis, wherof he humelie craved that he myght be tryed. We having hard him in this mater, convenit befoir ws, fome fpeciallis of the cuftomaris, and ftraitlie examinat thame, vpoun the treuth of that conditioun paft betuix the Lord of Scone and thame, who vpoun thair grite oathis declairit, that quhen thay maid fute for the laft tak of the cuftomes, thay delt and trauellit with the Lord of Scone to be thair freind, and offerit vnto him ane thowfand crownes yeirlie to purchafe vnto thame ane new tak for payment of the auld dewtie, and that he by thair knowlege or confent, eiked this thowfand crownes whiche thay had deftinat vnto him felff, vnto the dewytie of your maiefties tak, and that thair wes no other promeis, bargane nor conditioun betwix thame, the tyme of thair purcheffing of the faid tak, and that fome fax oulkis thairefter, thay, for encourageing of him to be thair freind, and to ftand be thame, in eais thair tak wer quarrellit, offerit vnto him to mak him a partyner with him in thair advantage, and that thay aggreit amangis thame felffis to gif him three portionis, and that his pairt of the advantage, with allowance of three portionis, extendit yeirly to v. m. merkis or thairaboute, whiche foume thay affermed that thay had payed, pourpoiflie to caus thair new vndirtakairs pay the fame vnto your maieftie. This is all that we haif tryed in this mater, whiche we remitt vnto your maiefties princelie cen-

ſure. Sua recommending your ſacred maieſtie and all your royall progenie vnto Godis protectioun, we reſt for ever

Edinburgh, xj Auguſt 1609.

Your Maieſties moſt humble and obedyent
ſubiectis and ſeruitouris,

AL. CANCELLS.
DUMBAR.
GLASGOW.
WIGTOUN.
BLANTYRE.
HALYRUDHOUS.
JA. B. OF ORCADS.
SR. T. HAMILTON.
JAMES HAY.
JO. PRESTOUN.
CLERICUS REGISTRI.

To the King his moſt ſacred and excellent
Maieſtie, etc.

XLVI.—KING JAMES VI. TO SIR THOMAS HAMILTON.

JAMES R.

TRUSTY and weilbeloued Counſellour, we greit you weill: Haveing beine certefied by oure right truſty couſeing and counſellour the Earle of Dumbar, of the great paines taken by you, in the formeing and draweing vpp of certane articles, to be moved at this enſewing parliament, and vpoun our reviſing of the ſamyn, finding that the repoirte maid of your caire and diligence in that mater hade very goode groundes, we culd not omitt bot to tak ſpeciall notice thereof, and to thank you moſt heartelye thairfore, aſſureing you, that theſe and the lyik proofes and tryellis that we haif had of your cairfulnes, zeale and affection to oure ſervice, ſalbe ſo regiſtrat in oure memorye, as we ſall pretermitt no occaſioun, where-

by we may ſchow our ſelfes myndful thereof, and expecting of you a continowance of thoſe your dewtifull endevours, as you wald therein do ws acceptable ſervice, we bid you heartlye fairweill. From our court at Whitehall, the 9th of May 1609.

To oure truſtye and weilbeloued counſellour, Sir Thomas Hamiltoun of Bynnye, knight, oure Aduocat.

Indorſed by Sir Thomas Hamilton :

" His Maieſties moſt gratious acceptance of my faithfull zeale in his heynes ſeruice, 9 May 1609."

Vnder his Majeſtys Seal.

XLVII.—KING JAMES VI. TO SIR THOMAS HAMILTON.

James R.

Trusty and weilbeloued Counſellour, we greit you weill: Whereas the lyverent of the Earle of Erroll is now fallin, and become in oure handis by his excommunicatioun, and adiudged vpoun perſuite maid at oure inſtance to pertene vnto ws, and now vnderſtanding, that there be many actionis depending there before oure Seſſioun aganis the ſaid earle, moſt pairt whereof might eaſelye be elydit by ſufficient defenſes, which can noway be proponit in the ſaid earles name, in regaird of his preſent caice and eſtate. We haif therefore thoght fitt, inreſpect of oure interes, to will and requyre you, in oure name to defend in the ſaidis cauſs: and becaus it will requyre ſome ſpace of tyme, that you may be particular-

lye informed of the whole particulare eſtaite of everye one of theſe cauſſes, and in that regaird haue writtin to oure ſaid Seſſioun, to continow during this fomer tyme, all actionis and cauſs depending aganis the ſaid earle, that againſt the nixt ſitting, you may be ſo prepared for defending in all theſe buſynes, as rather the want of compearance (which is not now in the ſaid earles power), nor his colluſioun with his adverſarye, (which in ſome ſoirt may be ſuſpected), do any way defraud ws of the benefite of the ſaid lyverent, which is dew vnto ws, and heirin you ſall do ws acceptable ſervice. We bid you fairweill. From oure Court at Grenewiche, the xxvjth of May 1609.

To our truſtie and weilbeloved counſellour, Sir Thomas Hamiltoun of Binnye, knight, our Advocat, in that our kingdome of Scotland.

Indorſed by Sir Thomas Hamilton:

"Anent the Erle of Errols actions, 26 May 1609."

Under his Majeſty's Seal.

XLVIII.—KING JAMES VI. TO SIR THOMAS HAMILTON.

James R.

Trusty and welbeloued Counſellour wee greete yow well. This action depending before our College of Juſtice betwix the Lord Herice and our ſeruantes, Sir Robert Douglas and James Maxwell, (whereof yow are not ignorant), wee haue thought good to recomende

to your ſpeciall furtherance, for, ſeeing the one of our ſaid ſeruantes is preſently employed in our ſeruice beyonde the ſeas, and the other (though hardly to be ſpared from his perſonall attendaunce vpon our ſeruice heir) hath for a ſmall time begged our licence to proſequute that buſynes there, we do require yow (as your office of it ſelfe doth binde yow), to employ the beſt of your meanes to cauſe that matter to be brought to the deſired point in the behalfe of our ſaid ſeruantes, for wee ſee no reaſon why the Lord Herice ſhoulde haue the benefite of that, which his parentes and predeceſſors haue diuers times in a maner diſclamed, in not acknowledging the ſame to be theirs, refuſing to be anſwerable for the ſame. Thus, looking for your fauorable diligence in this mater, together with the good effectes of the ſame, wee bid yow farewell. From our Courte att Grenewich the xxix^th^ of Maij 1609.

To our truſtie and weilbeloved Counſellour, Sir Thomas Hamilton of Binnye, knight, our Advocat in that our kingdome of Scotland.

Indorſed by Sir Thomas Hamilton:

"Ja. Maxwell and Sir Robert Douglas"

Vnder his Majeſtys Seal.

XLIX.—KING JAMES VI. TO SIR THOMAS HAMILTON.

James R.

Trusty and weilbeloued Counſellour, we greit you weill. Haveing vnderſtood by lettres from oure right truſtie and right weil beloued couſeing and counſellour, the Erle of Dumbar, and alſo by repoirt maid by the

Lord Burley, (who wes ane eyewitnes of the fame), of the great paines, cair and diligence vfed, and dexteritye kyithed by you in the tyme of this lait feffioun of parliament of that oure kingdome, in the keeping, furdering and aduanceing of our fervice thereat, and procureing of fo plaufable and wifhed fucces, to all fuche thinges as in our name wer moved to our eftaites, we culd not bot tak very fpeciall notice thereof, and heirby to fignifie vnto you the great contentment we haue receaved thereby, thanking you moft heartly for the fame, and affureing you that as occafioun fall offer, we fall not be vnmyndfull thereof, and fo biddis you heartlye fairweill. From oure Court at Whitehall, the ixth of July 1609.

To oure truftye and weilbeloued Counfellour, Sir Thomas Hamiltoun of Binnye, knight, oure Aduocatt.

Indorfed by Sir Thomas Hamilton:

"His Maiefties gracious acceptation of my feruice in the Parlement, 1609, July 1609."

L.—THE LORDS OF PRIVY COUNCIL TO THE EARL OF DUMBAR.

After oure verie hairtlie commendationis to your goode L[ordfhip] according to ane directioun fend doun frome his maieftie, to the Archebifchop of St Androis and Lord Scone, anent the examinatioun of Maifter Johnne Fairfoull, for praying for the banifhed brethrene, thay had the faid maifter Johnne befoir thame, the faxtene of this inftant, and

at grite lenth hard him vpoun that mater, and exhibit his depoſitionis to the Counſell in the afternoone. Maiſter Johnne is ordanit to be ſummond to compeir befoir the Counſaill vpoun Thurſday nixt, at whiche tyme, ſuche ordour ſalbe tane with him, for pvniſheing of that his errour and offence, as ſhall gif vnto his maieſtie ſatiſfactioun. Sua recomending your goode lordſhip vnto Godis protectioun, we reſt

Your Lordſhipis very aſſuired goode freindis,

HALYRUDHOUS.
JO. PRESTOUN.
R. COKBURNE.
SR. T. HAMILTON.
CLERICUS REGISTRI.

[*Poſtſcriptum.*]

Your Lordſhip ſall heirwith reſſaue the copy of his depoſitionis to be ſhowne vnto his maieſtie, at your Lordſhipis beſt oportunitie, and that your Lordſhip will returne vnto ws his maieſties pleaſure heiranent.

17 Nouember 1609.

To the Right Noble, oure verye honourable goode Lord, the Erll of Dumbar, Lord Heich Theſaurair of Scotland, and of his Maieſteis moſt honnorable Preuy Counſell, etc.

LI.—THE LORDS OF SESSION TO KING JAMES VI.

Pleis your Sacrat Maiestie,

Quhairas it pleafit your facrat maieftie to declare all thais places in Seffioun quhilk wes poffeft be the four extraordinarie lords to be voyde, and to difchairge everie one of thame of all forder priviledge competent to thame be the fame, as your hienes warrant fent to us for that effect dois recorde; and we haveing in mynde that one of thay places wes poffeft be Maifter Peter Rollock of Piltoun, (the otheris thre being now filled according to the command fent frome your facrat maieftie to ws, quhairunto we moft willinglie in all humble and deutifull forte obeyit,) wald thairfore, if it fo micht ftand with your maiefties moft gratious pleafure, in all humble maner, recommend to your maieftie fauorable confideratioun the afoirfaid Maifter Peter Rollock, laft poffeffor of one of the faidis placeis; one, quho haveing fpent the moft of tyme in learning, alfueill without, as within, your maiefties kingdomes, and euir fence in the attendance in Seffioun, and your maiefties other feruices, quhom now being of gritter age, we haif fund, and thairof will geve teftification to your hienes, to haue caried alwayis him felf in thais feruices that none wes more fordwart thairin, none more willing to difchairge that dewtie to all your hienes fubiectis, quhilk wes requifite and expectit frome him; and with quhom we, for oure awin entrefs, had fufficient contentment and fatiffactioun, as quhom of none to oure knawledge ather iuftlie could or evir did complane. Moft humble defyiring your gratious maieftie, if he have not fallin into fum vyde overficht, (quhairwith we, for oure felfis, ar not acquent,) and if fo it micht ftand with your maiefties goode will and plefure, (quhilk to us is and ever falbe the fouerane law, knawing how iuft and lauthfull the famyn ever hes bene,) that your facrat maieftie wald be pleafed to reftore and admit him to that place agane, quhilk, be your maiefties bountiefull permiffioun, he hes poffeft in Seffioun of before, quherin we hope he falbe fo encouraged to proceid, and go on, in regaird of this, and your maiefties monifald vyde fauors towards him, that

no blemifch falbe fund quhilk iuftlie may merite the fchairpnes of your maiefties cenfure. So wifcheing your maieftie long lyfe, moft happie and profperous raigne, we commit your maieftie to the evirlafting protectioun of the Moft Hegh.

Edinburgh, xj[th] Jan. 1610.

Your Maiefties moft faithfull and obedient feruitouris,

AL. CANCELL[S]. I. P. D.
A. DRUMMOND.
KILSAYTH.
EDZELL.
J. COKBURNE.
A. HAMILTON.
TUNGLAND.
QUHITTINGHAM.
R. COKBURNE.
JO. PRESTOUN.
L. CRAIG.
A. HAY.
MAIRCAIRNY.
S[R]. TH. HAMILTON.
CLERICUS REGISTRI.

To the King his moft facrat Maieftie.

LII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST GRATIOUS AND SACRED SOUERANE,

HAVEING reffaued commandment frome your facred maieftie, to tak tryall and cognitioun of the neceffitie of the vpholding of the harborie of your maiefteis burgh of Air, the harme that may enfew by decay thairof, the benefeit that this eftate may reffave by the finifheing of that worke, and of the meanes and poffibillitie of the burgh it felff to accomplifhe the fame, and to adverteis your maieftie particularlie thairof with oure advife what is fitteft thairin. As with all dew reuerence we acknowledge your maiefteis moft admirable cair, and faderlie regaird, towardis the preferuatioun and vpholding of everye waik and diftreffit member of

this commounweele, whairof your facred maieftie hes gevin fo mony notable prooffis and lyvelie experienceis to the ineftimable conforte and reiofing of all your maiefteis goode fubiectis, and to the reviueing of fome particulair memberis of this body, whilkis being at the point of vtter ruyne and decay, and vnable of thame felffis outher to reftoir thair awne eftate, or to concur with the reft of the body in the publict affairis of the commounweele, bot as dead and rottin memberis being almoft fallin frome the body, haif yitt bene, by your maiefties princelie fauour, bontie, and liberalitie, reftoirit to thair formair ftrenth and bewtye, and ar now (to your maiefteis immortaill praife and commendatioun) in vigour and ftrenth to difcharge thair awne dewteis accordinglie. So for difcharge of that commiffioun concredited be your facred maieftie vnto ws, we convenit and mett vpoun that mater, and after the moft exact tryale and informatioun whiche we could haif thairin, we do find that this intendit worke of the reparatioun of the faid harborie is moft neceffair and expedyent for the honnour, credite, and benefeit of the whole cuntrey; the place it felff being the onlie fey poirt vpoun that haill coaft whair the refett and difpatche of goodis is moft ordinair and frequent, and quhair the trade of navigatioun is alwayes in practife; and for nomber of goode fchippis, and fkilfull and able marinaris, it is the beft in this your maiefteis kingdome, Leyth and Dundee onlie except. And befydis the commodioufnes of the place, the nomber of fchipping and marynaris, and the frequent importatioun and exportatioun of commodityis at that poirt, it lyis oppin to Irland, within twelff houris failling to the north pairtis thairoff, whair the feid of all the rebellioun of that kingdome tooke roote, vnto the whilkis pairtis your maieftie, at euerey occafioun, may haif the commoditie of tranfportatioun whatever your maieftie fall think goode. And yf this intendit worke be not finifhed, thair wilbe no commodious nor faulff refett for fchipping thair; and, in fchorte tyme, the haill fchipping of that towne, whiche wald ferve for a bulwarke to that haill coaft in cais of foreyne troublis, will decay, and confequentlie the towne whiche is fo ancient, and, for civilitie, bewtye, buildingis, and goode gouernament, may be rekynned amangis the beft and worthieft of this kingdome, will come to noght, whairby the haill trade of the weft

cuntrey, whiche wes intertenyed be the fchipping of Air, will ceis, to the impoverifheing of that nvke of your maiefties kingdome; wheras yf this worke be haldin hand to, and perfytit, that towne will daylie floorifhe in fchipping, trafficque, policye, and ftrenth; and your maieftie may reft affured, at euerie intervening occafioun of your maiefties feruice, to be furnift with a nomber of goode fchippis and able fellowis frome that poirt. And tuicheing the poffibillitie of the towne to finifhe the worke, we find no kind of lykliehoode nor appeirance that be thame the worke can be finifheit, the famin haveing alreddy coift thame, be oulklie collectioun and contributioun of the inhabitantis, aboue tuelff thowfand merkis, whiche is fo grevous vnto thame, that, in refpect of the grite lofs thay fuftenit the tyme of Godis vifitatioun of that burgh with the peft, thay ar not able longer to vndirgo that burdyne, thair commoun goode not exceiding 1m. lib. Scottis be yeare, whiche is not fufficient to vpholde thair churche, bridge, hofpitall, and vtheris the commoun workis of thair towne. This is all that we haif leirned and find in this mater, whairin we dar not prefome to gif vnto your facred maieftie ony advife, feeing your awne folide iudgement, and your perfyte and reddy refolutioun in euery thing prefentit to your maiefties confideratioun, makis ws to acknowledge oure awne waiknes, and to remitt the deliberatioun vpoun this mater to your maiefteis felff. And fwa praying God to preferve your facred maieftie, with all your royall progenye, in perfyte happynes and felicitie, we reft

Your Maiefteis moft humble and obedyent
fubiectis and feruitouris,

Al. Cancells.	Sr. Th. Hamilton.
Jo. Prestoun.	James Hay.
Blantyre.	Clericus Registri.

Edinburgh, the firft of Februar, 1610.

To the King his moft facred and excellent Maieftie.

LIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Pleas your most Excellent and Sacred Majestie,

As we hope that your highnes hathe long ſince vnderſtood of ſum challenge of combat, betwix the ſecund ſone of the Lord Cranſtoun, and Sir Gedeon Murray his ſone, begun betwix the yowthes vpon licht cawſs of verie ſmall moment, and of the ordour takin by ws for preventing thair meiting, and calling of thame to there anſwer, and of the cowrs takin for there reconciliatioun, whiche wes done in preſence of the hole counſell, wheirby all probabilitie of forder challengeing betwix the pairteis then in appeirance wes removed. So, when vpon privie informatioun maid to ws ſum fear wes apprehendit of a new breache betwix the pairteis, by interchangeing of cartellis privilye betwix thame ſelfis, whowever we wald haue bene forye that the folyes of the childrene, or the hard event whiche follow ſuche accidentis, ſuld haue empaired or diminiſched the love and affectioun, which heirtofoir haith bene and doeth ſtill continew betwix there parentis, (bothe of quhome haith worthelie deſerved and haue behaved thame ſelfis moſt dewtifullie and faythfullie, as thay haue bene imployed in your maieſties ſeruice), yit heirin we war ſo muche more juſtlie moued to adverte to ſuche a noveltye, that efter a reconciliatioun ones maid befoir your maieſties counſell, ather the keiping of your highnes peace ſuld be ſo lytle regairdit, or the ordour takin by ws for the obſerveing theirof ſo far contemned, as that any durſt preſume or attempt any new quarrelling, wheirvpon bothe the fathers wer chairged to compeir and to bring with thame and exhibite there ſonnes: whiche being accordinglie and dewtifullye obeyit by bothe of thame, efter a verye hard and exact tryall takin, in regaird of the vnwillingnes of ather of the yowthes, vpon thair firſt queſtioneing, to confeſs what new maiter haid paſſed betwix thame; at laſt, it being found that the Lord Cranſtouns ſone wes the challenger, by a cartell wrettin efter the reconciliatioun maid, we theirvpon committed him cloiſe priſoner in the caſtle of

Blaknes. The other whowevir being provoked, yet in regaird he did obſcuire and conceale it (being ſome preſumtioun that he intendit to keip the meiting and ſo to mak a breache of your maieſties peace), wes adiudgit to be committed in Edinburgh Caſtell in frie wairde, haveing haid friedome granted vnto him furth theirof within xlviii houres, and confyned within this burghe and a myle abowt the ſame; whereas the ſaid Lord Cranſtouns ſone, thir fourtene dayes paſt, haueing lyin cloiſe priſoner in Blaknes, and in the mean whyle making ſuite often by bill to be releived, confeſſing in moſt humble maner his offence, and offering all ſatiſfactioun that ſuld be injoyned be ws, wes by directioun brocht frome the place of his impriſonment, by the lievtennent of your maieſties gaird, and preſented befoir ws, where in the preſence of Sir Gedeon Murray and his ſone, he did humblye, vpon his knies, craive pardon of your maieſtie for the offence done, and did intreat ws to be ſuitters for the ſame to your ſacred highnes on his behalf, haveing heirwith confeſſed alſo the great wrong he haid done vnto your maieſties counſell, in preſwming to renew any challenge efter reconciliatioun ones maid, and therewith vttering moſt apparent ſignes of inward ſorrow, for offending of his ſo loveing father, vnto whome he knew this his bypaſt behauiour wes ſo diſtaiſtefull as without our interceſſioun he could expeict at his handis no favour. He then to the pairtie challenged, in preſence of both fathers, did there confeſs the wrong he haid done him, offering him what ſatiſfactioun he wald demand, and did there proteſt, that howevir in his yowthfull follye he haid aſcryved the laſt reconciliatioun, as a maiter extorted by conſtraint or command of the counſell, that yit nottheles this his preſent agriement wes of meire affectioun, whiche he intendit, al bypaſt eyliſtis aboliſhed, to continew heirefter.

There wes ſum jealowſye in this maiter takin by Sir Gedeon, as that the Lord Cranſtoun, whowevir not a direct vrger of his ſone to this challenge, haid nottheles intendit to tak ſome advantage to the preiudice of the credite and honor of him and his ſone; and by the ſpeiches delyvered by Sir Gedeon in our preſence, we did conceave no leſs, bot yit that this impreſſioun not being clearit might tak no deiper roote. We then did queſtioun the Lord Cranſtoun theirof, who, in preſence of Sir Gedeon by his great oathe vnrequyred, did proteſt, that he wes ſo far from counte-

naunceing or allowing of his fones actioun and cariage in this bufynes, as on the contrarye thefe fevin yeiris paft, no incident whatfoever that haid interveyned, haid fo muche greivit him, and that he did affuire him felf, that Sir Gedeon wes no les in confcience perfwadit, fince he haid foirwairned him immediatlie vpon his knowledge of the firft challenge, and vpon his fones depairture the laft time frome him, fufpecting the humor of the yowthe, and yit vpon his confcience not knowing of any thing intendit, did of new certifie Sir Gedeon of his fearis, whiche declaratioun being delyvered withe fo great atteftationes, by one not muche accuftvmed to fwairing, did not onlye remove all feruple and jealoufye frome Sir Gedeon as he then affirmed, bot left none of the beholders vnfatiffied, and fullie perfwadit of that noblemanis innocencye. The counfell haveing takin ane verye ftrict and exact tryall of all circumftances, whiche might infere any the leaft fufpitioun of the Lord Cranftoun's allowance, airte, pairte, or connivance at his fonnes actioun, in the examineing wherof, the furder that we did dyue, we ftill fand the father the more cleare of all imputatioun, and in our iudgement Sir Gedeon is fullye perfwadit thairof, lyk as in our prefence he did profefs no lefs. And howevir that heirvpon all pairteis, both eldar and younger, wer reconceiled, yit becawfe of the offence done to your maieftie by James Craunfton, in preffing to renew any quarrell efter aggriement ones maid in prefence of counfell, we have theirvpon adiudgeit the faid James Cranftoun, that betwix and the firft of October nixt, he fall depairt your maiefties dominiones, and remaine furthe of the fame, and noway returne bak, vntill that your maiefties fpeciall licence and warrant be purcheft, and haue takin fowertye and cawtioun vnder a great fowme for that effect. And becaws there wilbe a neceffitye of provifioun to be maid by the father, for the fones furneifing in his going beyond fea, theirfore we have committed him prifoner in his fathers owin keiping, vntill the tyme of his depairture, who is to reftraine, enduring that fpace, of his fon all fuche libertye wheirbye anye furder harme might be feared. And albeit the reconciliatioun and agriement wes fullye maid, fo as in our iudgementis there did not remayne the leaft ferupule of any furder grudge amonges the pairties, yit the noueltye of the caice, and the hairme whiche the impunitye theirof, might produce, if

vpon this example, others who haif bene formerlye reconceiled, wald now prefs to renew and reviue there olde querrellis, we culd not in our dewtye to your maieftie fuffer this to go vnpunifhed, whiche moued ws (howevir earneftlie and humblye entreated by Sir Gedeon Murray to recall our fentence and determinatioun againes the faid James Craunftoun), nottheles for ane exemplarye punifhment and effraying of others to commit the lyk infolence, to continew our refolutioun takin in that maiter for his banifheing as faid is: as lykwayes ather of the two fathers ar bund and obleift, not onlye for thefe there fones, betwix whome this challenge hes paft, bot for all others there fones come to mannis aige, everie ane of thame vnder the payne of ten thoufand merkis, that they ftill keip your maiefties peace, that no cartellis falbe fent by the one to the other, and that the pairtye vnto whome any falbe fent, fall immediatlie withe all poffible diligence, acquent the counfell, with the challenge fent to him, otherwayes the payne foirfaid to be incurrit. And hoiping that nothing heirin is left vndone, whiche in fic a caice wes requifite, and fullye expecting your maiefties good allowance and favourable conftructioun of our proceidingis, wifheing thay may proue good metall when thay come to the tryall of the trew tuitcheftone, vnto whome we do moft humblye pray for the continuance of all happines, we doe reft

Your facred Maiefteis moft humble and obedyent
fubiectis and feruitouris,

Edinburgh, the tent of Auguft 1610.

Al. Cancells.
Doumbar.
Sr. Th. Hamilton.
Jo. Prestoun.
Wigtoun.
Alexr. Hay.
Kilsayth.

LIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Please your Sacred Majestie,

The affurance given to us of your majefties good pleafure and will, to have the workes of umquhile Maifter Thomas Craig (yet unpublifhed) to be perufed and feene, hes given us the hardiment now after exact confideratioun had be us of the fame, to commend them to your maiefties moft gracious patronage, whilk we the more boldly have undertaken to do, in regaird we find the fame to conteine moft excellent mater, eloquently penned be the author, who moft learnedly hes not only expreffed himfelf in his bookes De Feudis, but alfo hes left honourable monuments in his poemes written in honour of your maiefties felf, your royall progenitours, your maiefties moft excellent queene, and the prince his grace, your highnes fonne, all of themfelves worthy to be imparted to the aig prefent and pofteritie, and not fo to be fhaddowed up in perifhing fcrolles. The publifhing whereof cannot but beget honourable credite to this your maiefties kingdome, and profitable good to the fubjects of the fame. We think it not expedient to impefh your facred eares, in declairing with what fervent zeale and devotion to your highnes fervice and publick good, the author was confumed whill he lived, as moft notour to your maiefties felf and whole countrey, the report whereof we remitt to the right honourable and allwayes learned, your maiefties chancellor of this kingdome, of whome your maieftie may truely try the worthy ftuff of thefe workes, togidder with our fervent defire and requeift to your maieftie to mak fuch rare monuments goe abroade to the world, whilks juftly craves to receive their dew luftre and life from your maiefties felf, whofe princely vertewes and royall difpofition towards all learning, may only anfwerablie raife up thefe workes, and reftore them to their deferved and defired light. We ar out of all doubt to find pardon of your maieftie, for the offering of thefe our like commendable indevours,

to your highnes protection, knowing your maieſtie to be a peereles patrone of all learned erudition, in whome God hes placed ſuch rare princely qualities of force to mak the world wonder and admire them, and to us your maieſties ſubjects ſo powerfull that in moſt ardent zeale to the Almighty, we pray for the happie progres and perpetuitie of the fame in your maieſties long and happy lenght, and glorious reigne, and your highnes royall progenie, in the whilk prayer we moſt humblie tak our leave.

Your moſt facred Maieſties moſt humble and obedient
ſubjects and ſervitours,

Edinburgh, 18 Auguſt 1610.

Blantyre.	Jo. Prestoun.
Kilsayth.	Alexr. Hay.
Robert Melvill.	J. Hamilton.
A. Hay.	Sr. Th. Hamilton.
Clericus Registri.	Edzell.

To the King his moſt facred and
excellent Majeſtie.

LV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Gratious and Sacred Souerane,

The Lordis of your maieſteis preuie counſaill haveing remittit vnto ws, who ar commiſſionaris for your maieſteis rentes, the conſideratioun of that lettre directit frome your maieſtie vnto thame, twitcheing the petitioun maid to your maieſtie be Johnne Maxwell of Conhaith and

Eduard Maxuell of Hillis, for fome yeiris continewance, by tak of the cuftomes appointed to be tane in the weft marche, of the cattell and goodis paffing betuix the two kingdomes, for thair releiff of thair engagement for thair laite cheif the Lord Maxwell. We accordinglie did convene, and at grite lenth haif conferrit vpoun that mater, and with all dew reuerence do acknowledge your maiefteis moft gratious and cheritable difpofitioun towards thefe two gentilmen, whome we wald be very glaid lykewayes to fee relevit, yf by this thair ouertur it myght be done without your maiefteis grite hurte and preiudice. Bot feeing it hes bene your maiefties pleafour to concredite vnto ws the gouernament and handilling of your maiefties rentis heir, whairin we ar very cairfull to do oure endevoiris for reduceing the fame, to fome reafounable good eftate and conditioun, it wilbe no litle preiudice to oure refolutionis, yf now, at oure begynning and entrie, ony parte or portioun of the fame rentis be difmemberit and tane away, efpeciallie in a caife whairin your maieftie ftandeth no way oblift, your maieftie haveing fo mony neceffair burdingis of your awne lyand vpoun your rentis, whilkis in reafoun mon be preferrit to priuat menis futis, and yf this demand and fute of thairs (whiche of the awne nature is a free gift) be grantit and tak place, your maieftie wilbe daylie importuned be nomberis who hes reafoun for thame to feeke, and we wilbe maid vnable to profequute and follow oute that refolutioun and courfe, whilk, for your maiefties benefeit and proffeitt, we haif intendit. And forder, the conditioun and availl of this mater demandit be thame is very vncertane, and no perfyte knowlege can be had thairof, while firft we haif tane ane yeiris prooffe what the fame may importe and rander the cuftomes, as your maieftie knowis, being bot laitlie appointit to be tane vp, and the availl thairof as yitt vnknowne; and when it fall pleis God that in fome meafour we haif fetled your maiefteis rentis, and broght fome free money to your maiefties cofferis, your maieftie may then freelie difpoife vpoun your moneyis at your pleafour, and we wilbe bauld to intreate your maieftie, that then thir gentilmen may haif fome pledge and taikine of your maiefteis bontie and fauour for thair releiff. And fo with oure humble and hairtie prayeris vnto God, recommending your facred

maieſtie, and all your royall progenye, to his divyne and faderlie protectioun, we reſt for euer

Your Maieſteis moſt humble and obedient
ſubiectis and ſeruitouris,

Edinburgh, xvj May 1611.

AL. CANCELL^S.	GLASGOW.
JO. PRESTOUN.	SR. TH. HAMILTON.
A. DRUMMOND.	SR. G. MURRAY.

To the King his moſt ſacred and
excellent Maieſtie.

LVI.—SIR THOMAS HAMILTON TO JOHN MURRAY.

SIR, Oure dealing with Johne Maxuell hes ended in thir termes, that he ſould ſubſcryue ane band to accept ſik ſowmes, as the laird of Lochinvar and I, ſould deeerne for contentation of all ſik diſpoſitions, renunciations, and ſecurities he ſould mak to yow, and that he ſould cauſe the laird of Lamington, his brother, and the gudeman of Barſkeo, as cautionars for him, ſubſcryue that band in preſence of Maſter James Hamilton, commiſſar of Lanerk, and of ane, whom Robert Makbraire is deſyred, be my letter, to ſend to ſie Barſkeo ſubſcryue the band. If I reſſaue aduerteiſment bak from the commiſſar, and from Robert Makbraire, that the band merked be Maiſter Thomas Hope, is ordourlie ſubſcryved be Johne

Maxuell, Lamington, and Barſkeoch, I ſall aduerteis you thairof be my letter. It is alſo commoued, that ſik ſecurities as Johne Maxuell deſyres you to mak to him, ſall be ſene and merked be Maſter Thomas Hope, and ſend to you to be ſubſcryved be you and keiped in your owne hands, whill ye find ane ſure bearer to ſend thame hame to any freind of yours, to be keiped, whill Johne Maxuell cauſe ſubſcryve and perſyte all ſik ſecurities as ſall be fund expedient to be maid be him, and his brother, and ſiſters, to you; and whan your freinds reſſaues your ſecurities from him, the ſecurities whilk ye ſubſcryue to him, or his brother and ſiſters, to be then delyvered to him; and becaus, at oure deſyre, he hes conſented to ſell to you the park of Dundrennan, whairof he hes ſufficient right, I haue promeiſed, in your name, that ye ſall pay to him for it the trew wourth thairof. I wald not haue advyſed Johne to haue maid his jurnay in this maner, but rather that all the evidentis ſould haue bene ſene and agried vpon, betuix your men of law and his, before he had tane journay. Bot he hes reſolued to diſpoſe vpon his owne journay eſter his owne fantaſie, whilk, I wiſh may be no hinderance to him ſelf and to your buſines. All that I can requeiſt you to do, is, to do him all the fauour and courteſſie ye can without your owne loſſe. Swa till farder occaſion, I commit yow to the protection of God. Edinburgh, this xi Merche 1612.

Your loving freind euer to be commanded,

Sr. Th. Hamilton.

To the right wourſchipfull my moſt
aſſured freind, Johne Murray of
Dundrennan, ane of the groomes
of his Maieſties bedchamber.

LVII.—KING JAMES VI. TO SIR THOMAS HAMILTON.

JAMES R.

TRUSTY and weilbeloued counſellour, wee greet yow weill. We haue receaved your letter of the twentie ſevinth of Februare, and for ſatiſfactioun of two poyntis thereof requiring oure anſueir, haue thoght fitt herby to certifie yow of oure will thereanent; and firſt, concerning that priviledge by the Fleaming petitioned to make brinſton, vitreale, and allome, for the ſpaice of thirtene yeires, within that our kingdome, foraſmuch as his traivells may (in our opinioun) prove beneficiall both to vs and oure ſubiectis there, we ar therfore weill pleaſed that oure counſell exped him a gift of the ſame, for ſuch a yearlie rent to be therefore payed vnto vs, as they ſhall think him hable to afford, in regaird of the aforeſaid grant, or as ſhalbe otherwayes anſwerable to that, whiche, others having purcheſſed the like licence within this oure kingdome, doe yeirlie yeild vs for the ſame. Wherein, as wee doubte not of their careſulnes, ſoe doe wee aſſuredlie expect that yow will, in regaird of your office, the more inſtantlie inſiſt for our benefite.

And as for that other poynte of your letter, concerning the furder following of that perſute intentit againſt young Drumlangrick, foreaſmuch as wee vnderſtand, that he, being laitlie reconcealed to Kirkmichel younger, is to compeir before oure Juſtice, at the day and plaice ſpecified in your laſt ſummondes raiſed againſt him, and there, for clearing him ſelf of that crime whereof he is accuſed, to alleadge that he did nather violentlie apprehend nor detyne the ſaid Kirkmichel. It is therefore oure ſpeciall pleaſure that at the foreſaid dyett yow continew in your perſute againſt him, and that vpoun his alleadging the aforeſaid exceptioun yow doe demand of him, yf he will not wholie relye therevpoun, renuncing all other exceptiouns formerlie propounded in his defence, and vpoun his declaratioun that he will doe ſoe, yow ſhall then inſiſt for remitting the

triell and furder confideratioun thereof to the lordis of oure counfell, infifting, in the meantyme earneftlie, that thefe other exceptions heretofore vfed in his defence being fo dangerous, and by no prefident warranted, may not be hereafter recorded in the regifters of the adiournall, as lawful or tolerable defences to be propounded in the like cafes in any tyme comeing. Wherein nowayes doubting of your care and readines, we bid yow fareweill. From oure Courte at Whytehall, the 19th of Marche 1612.

To oure trufty and weilbeloued counfellour, Sir Thomas Hamilton of Byres, knight, oure aduocat in oure kingdome of Scotland.

Indorfed by Sir Thomas Hamilton :

" His Maieftie, anent the condicions of the priuilege of making allume, brinftone, and vitreale, and anent criminall perfute of young Drumlanrik.
" Reff. 28th Mart. 1612."

LVIII.—KING JAMES VI. TO SIR THOMAS HAMILTON.

James R.

Trusty and weilbeloued counfellour wee greete yow well. Whereas wee vnderftand that in a perfuite mooued by Andrew Henryfon ãgainft the lord of Scone for payment of a penfion oute of the rentes of Scone, difpofed by vs, there is an exception of improbation, pro-

pounded of a writte vfed by the faid Andrew Henryfon, by which he wold haue vrged the faid lord of Scone, after the time of the erection, to haue acknowledged the faid penfion. Alwife, vpon certeyne iuft caufes moouing vs, our pleafour is that yee, as our aduocate, at the nexte diett of that proces fhall propounde the nullity of that penfion, as being of our annexed property; fo as all further proces in that matter may ceafe, and withall, yee are to take a bande of the faid Lord of Scone, oblifhing him and his heyres to pay to the faid Andrew Henryfon yearelie, during his life, the fumme of fiue hundreth markes monie of that our kingdome, allowable vnto him as a parte of the blench dewty, which, by his infeftment of erection, he is bounde to pay. And fo referving this matter to your care wee bid you farewell. At our pallace of Whitehalle, the fixt of Maie 1612.

To our trufty and welbeloued counfellour, Sir Thomas Hamilton of Bires, knight, our Aduocate.

Indorfed by Sir Thomas Hamilton :

" Reff. 14th May 1612.
" For proponing exception of nullitie aganis Andro Henderfon's penfion, and taking band of my Lord of Scone, for him and his aires, to make payment of the lyke penfion, to be allowed in his blenche dewtie of his erection."

Vnder his Majefty's Seal.

LIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Gratious and Sacred Souerane,

We haif reffauit your maiefteis two lettres, the one concerning ane difcharge and exoneratioun, whiche your maieftie willeth ws to gif to Alexander Home of Rentoun, vpoun compt and payment to be maid be him to George Nicolfoun in Berwick, of his haill intromiffioun with the late erll of Dunbar his rentis and goodis; and the vther tuitcheing fome dealing to be tane be ws with the faid erle of his creditouris, that thay wald accept of thair principall foumes without ony annuell fen his deceis. In whilkis two particularis, we ar moft humblie to intreat your maiefties pardoun for returneing of this our anfuer and excufe thairunto. And firft, tuitching that of the difcharge, thair can be no thing done be ws thairintill, whiche wilbe availlable to the faid Alexander, or whiche, by law or cuftome of this cuntrey, will fecure him in that poynte, becaus the haill rentis, goodis, and what els belonged to the faid late erll, doeth now perteyne to his executouris, and no difcharge can be gevin of ony parte thairof, bot be thame after thay ar confermit in the office of executrie; and the two doghteris being the onlie perfonis who now fupplee that charge, and thay having fubmittit all materis queftionable betuix thame to your maieftie, your maieftie may decerne thame to conferme thame felfis executouris, that thairefter fuch difcharges as ar fitt to be gevin in thir materis, may be formalie and ordourlie gevin be thame; and forder, the goodeman of Rentoun pretendeth ane vther difficultie in payment, vpoun occafioun of diuers arreiftmentis, and actionis foundit thairupoun, maid vpoun the faid erll his rentis and goodis, for grit foumes of money debtfull be him, whilkis arreiftmentis being yitt ftanding in force, will mak him to be anfuerable to the partyis at whofe inftance thay ar maid. And anent the vther lettre, tuitcheing oure dealing with the creditouris, for accepting of thair principall foumes, we think thay wilbe

hardlie induceit thairinto, feeing when this mater wes firſt in handis, we then, by your maieſties ſpeciall directioun, delt with the creditouris for ſuperſeiding of thair debtis for ſome certane ſpace, vpoun promeis maid to thame, for payment of thair annuellis, whairunto, with grite difficultie, thay then yeildit, and now, if thay find appeirance that ony ſuche purpois is intendit, as to fruſtrat thame of thair annuellis, thay wilbe the more inſtant in ſeiking bothe of thair principall and annuells. And ſo humblie beſeiking your maieſtie to tak this, oure excuſe, in goode parte, and praying God to bliſſe your maieſtie, with all happynes and felicitie, we reſt

Your Maieſties moſt humble and obedyent
ſubiectis and ſeruitouris,

Al. Cancells.
Glasgow.
Jo. Prestoun.
R. Cokburne.
Sr. Th. Hamilton.

Edinburgh, 23 May 1612.

To the King his moſt ſacred and
excellent Maieſtie.

LX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Gratious and Sacred Souerane,

The conſideratioun of your maieſteis moſt princelie and wyſe reſolutioun and courſe, in that petitioun and ſute preferrit vnto your maieſtie be Sir Williame Balfour knyght, for a grant of the vnlawis and penaltyis of your maieſteis iuſtice courtis in this kingdome, hes embauldenit ws firſt to preſent vnto your maieſtie oure moſt humble thankis, for the reſpect whiche your maieſtie doeth carie vnto ws, in the charge, whiche we haif vndertane of your maieſteis rentis; and nixt, to gif ſignificatioun vnto your maieſtie with quhat grite contentment and courage we vndirgo

this feruice, wheneas we fee that the courfe of oure refolutionis for your maiefteis benefeit is noway interruptit by the importunitie of fuitaris. We do all lyke verie weele of the gentilman, and thinkis him one of goode worthe and merite, bot in the hoipis of this his overture and fute (althoght the fame wer grantit), we affure your maieftie that he will come fo far fhorte, as it fall breid far moir uexatioun, trouble, and preiudice to your maiefteis fubiectis, nor gayne, proffeit, or contentment to him felff. Thair hes bene no fuche futis and grantis vfuall in this kingdome, and the preparatiue thairof may produce dangerous confequenceis, and grite confufioun and mifordour in the officeis of refett. And wheras thir vnlawis and penaltyis hes bene heirtofoir conceallit, we haif gevin directioun to Sir Johne Arnott to examine your maiefteis regiftre, and to charge for thir penaltyis, and yf ony thing fall aryfe thairby, we fall gif notice thairof to your maieftie, to the effect your maieftie may then in haill or in parte gratifie the gentilman thairwith. We ar lykewayes bauld in all humilitie to requeift your maieftie, that when fo in tyme comeing, ony fuche futeis and ouerturis of the natur and qualitie foirfaid falbe maid vnto your maieftie, that it wald be your maiefteis pleafour to gif fignificatioun thairof vnto ws, by your maiefties Secretarye, or fuche vtheris as your maieftie fall think meete, and not be the pairtye; who, oftymes preferring thair awne apprehenfionis and opinionis to modeftie and reafoun, doeth blame ws as croffe, and hinderaris of thame in thair hoipis of your maiefteis beneuolence and fauor. And fo frome oure hairtis recommending your facred maieftie to Godis divyne protectioun, we reft for ever

Your Maiefteis moft humble and obedyent fubiectis
and feruitouris,

Al. Cancell^s.	Scone.
Glasgow.	Jo. Prestoun.
S^r. Th. Hamilton.	A. Drummond.

Edinburgh, the penult of May 1612.

To the King his moft facred and
excellent Maieftie.

LXI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Pleis your most Excellent Maiestie,

According to your maiesteis directioun reffauit for taking tryall of the debt acclamed by James Shaw, executour confermed to vmquhill Williame Shaw, maister of your maiesties workis within this kingdome, arryfeing vpoun the arreraiges of the faid maifter of worke, his feall dew to him by his gift, whairof for diuers yeiris by fome of the officers of refett, allowance wes takin, and by vtheris omittit and left furthe of thair accomptis; after the whole bipaft accomptis, fen the date of his gift to his deceis, had bene narrowlie fearched and examined, we find that he hathe continewed betwix his entrie to the office and his deceis, the fpace of auchtene yeiris, haueing by his gift fiue hundreth merkis of yeirlie feall appointed to him, whairof allowance is tane by Sir Robert Meluill in his accomptis of the thefaurarye for the yeiris of God 1584, 1585, 1586, 1587, and by the Lord Elphingftoun for the whole 99 and Witfonday in the yeir 1600. And the whole remanent yeiris, enduring his being in office, haif not bene takin allowance, nor yitt probablie euer payit to him, in regaird the defunct, at the making of his teftament, immediatlie befoir his deathe, hathe gevin vp with his awne mouthe the fame to be reftand awand to him, as his confermed teftament doethe beare, whairin we may boldly alfua afferme, that in his lyftyme, and during the tyme of his feruice, he wes a moft painefull, truftye, and welle affectit feruand to your maieftie. Leaving what forder your facred maieftie wilbe pleafit to direct, concerning ony payment of thefe debtis, to the executours of the

defunct, vnto your awne moſt gratious pleaſour and will; and praying God to bliſſe your maieſtie with all happynes and felicitie, we reſt

Your Maieſteis moſt humble and obedyent
ſubiectis and ſeruitouris,

Al. Cancells.	Glasgow.
Alexr. Hay.	Sr. Th. Hamilton.
Sr. G. Murray.	Jo. Prestoun.

Edinburgh, the tent of October 1612.

To the King his moſt ſacred and
excellent Maieſtie.

LXII.—SIR THOMAS HAMILTON TO KING JAMES VI.

Most Sacred Souerane,

It is humblie deſyred be your maieſties counſall, that your royall pleaſour may be ſignified concerning the allowance to be gevin to the capten of Dumbarten, for the Erle of Orknayes chairges during his detention thair.

The Biſchop of Orknay having agried with the counſall, anent the aſſignation of lands and teyndis to him and his ſucceſſours, as ane conſtant patrimonie of the Biſchopis of Orknay, is to repaire to your maieſtie, and to mak ſute for the patronages and ſuperiorities; which being poyntes rather of authoritie and preeminence nor of proffeit, ar thoght more fit for the prince, nor ane ſubiect, in theſe remote iles; whairof your maieſtie may be pleaſed to conſider, and to declaire your royall pleaſour to your counſall.

Thair is appeirance, that the Erle of Craufurd may be fred of wairde, furth of the caftell of Edinburgh, be fatiffaction of his creditours; but becaus he is too much fubiect to the counfall of young and evill difpofed perfons, it is thoght expedient, that your maieftie command the counfall, be your letter, to tak caution of him to keip the peace vnder great paynes, which requires expedition, before his libertie.

The counfall reffaued your maiefties letter concerning Robin Abroches remiffion and protection, which, vpon hope of your maiefties gratious permiffion, thay have delayed to performe, till, be thair direction to me, your maieftie may be informed be my letter, that Robin Abroch is reported to have bene the moft bludie and violent murthourar and oppreffour of all that damned race, and moft terrible to all the honeft men of the cuntrie, who now reffaving fauour above all vthers of his kin, being difpenfed from compeirance before the counfall to menfweare his name, and from finding caution for his compeirance before the counfall, whanever he fall be chairged vnder competent paynes, which hes bene the ordour prefcryved to all the reft of that clan without exception, the fauour granted to him gevis him lofen renzies, difcourages thefe who ftands in feir of his barbarous oppreffion, and may move vther brokin men to ftand out, till thay get the lyke condicions, and perhaps tempt fum, who ftand alreddie bund to the peace, to lope furth, whill thay obteane the lyke fredome and immunitie from all ordour and obedience. And thairfore the counfall moft humblie craives, that your maieftie may allow thame to vrge Robin Abroch, to obferue the comon ordour prefcryved to all vthers of his clan, and obeyed inviolablie be fuch as obteaned remiffions; bot if your maieftie be refolved to the contrare, vpon fignification of your determined pleafour, thay will moft reddelie obey your royall commandementis; and do intend, for his prefent faiftie, to grant him ane protection whill the xvth day of May, provyding he forbeare to repaire to the fchiredomes of Dumberten, Stirling, Perth, and Innernes. Thairfore I moft humblie befeik your maieftie, to returne the fignification of your gude pleafour fo fone as convenientlie may be in thir pourpofes; in expectation whairof, I befeik God to prolong your lyfe, preferve your health,

increas your maiefties profperities, and accompleis your wifhed contentments. Edinburgh, this xiv^th Januar [1613?]

Your moft facred Maiefties moft humble,
faithfull, and bund feruand,

Sr. Th. Hamilton.

To the Kingis moft facred Maieftie.

LXIII.—SIR THOMAS HAMILTON TO KING JAMES VI.

Most Sacred Souerane,

Thir dayes bygane, your maiefties counfall haue delt with fum of the Makgregours landiflordis, who, being fummond, compeired before thame (the reft being abfent) to giue thair advyce anent the ordour to be tane with the rebells childrine, whairin the caire of thefe landiflordis appeired to be rather to difburding thamefelfis and the hielands of thefe childrine, and to haue thame tranfported and keiped be fowth Forth and Clyde, nor to propone any ouerture for the generall gude of the kingdome, which the counfall hes not allowed, becaus thefe landiflords being the men moft intereffed in the extirpation of the Clan Gregour, inrefpect of the releif of thair dangers and daylie troubles, and making thair lands, formerlie poffeffed be thefe rebels, peaceable and proffitable to thamefelfis; thay had nather beftowed trauels nor chairges in thair perfute, but left all the burding vpon your maieftie; and being now preaffed to pay thair contribution, which fum of thame had long ago promeifed, thefe wald have reuoked thair promeifis, and the reft being abfent, and not having gevin thair expres confent, thoght that no laufull decreit could be gevin be the counfall to compell thame to pay. And albeit thay alledge that if the bairnis ryfe to men thay may be of number and power to

renew the trouble of the cuntrie; yet it is fund, be particular examination, that thair is not ten of thefe childrine aboue the aige of fyue yeiris, and the landiflords thamefelfis confes, that if ordour were tane with ten or twell, who ar the fones of Chiftanes, the whole remnant of that number ar fo baffe and beggerlie that thay will neuer be able to mak trouble. The counfall finding the landiflords fo vnwilling to pay thair contribution, thinkis it fitteft to leive the chairge of the bairnis vpon thame, whill thay confent to fum fuch ouerture as may fecure the cuntrie from thair future rebellion. And becaus the fmall number of meane landiflords, who at firft confented to pay the contribution, compleanis of thair double burding of contribution and interteaning the childrine, the counfall hes thoght gude to fuperfeid the exaction of that contribution, whill fum more folide ordour may be tane with the bairnis. Sufpicion is confaued that Glenvrquhie, Lawers, or fum vther landiflordis, may, be thair letters or vtherwayes, informe your maieftie that it is neceffar that the bairnis be tranfplanted to the lawland, which courfe the counfall is not liklie to allow. Thairfore, for efchewing your maiefties trouble be thair importunitie, it appeiris fit that the mater be remitted to the counfall. Bot if your maieftie conclude any thing to the contrarie, I fall euer yield that obedience, and imploy fuch diligence in accompleifling your maiefties directions, which my faithfull dewtie and your maiefties moft gracious fauours dois ftrictlie requyre. So prayeing God to grant your maieftie long lyfe, conftant health, profperitie, and contentment, I reft

Your moft facred Maiefties moft humble,
faithfull, and bund feruand,

Sr. Th. Hamilton.

Edinburgh, 26 Nouember.

To the Kingis moft facred Maieftie.

LXIV.—SIR THOMAS HAMILTON TO KING JAMES VI.

Most Sacred Souerane,

Your maieſties counſall having this day receaued from my brother, your maieſties letter, concerning the allowance to be gevin to the lait erle of Orknay for his interteanement, haue ordaned the reſſauers to mak payment to him of foure pundis daylie. And albeit thay did foreſie, that his freindis may perhaps regrait to your maieſtie the meanneſſe of the fowme, yet do thay expect that your maieſtie will gracioufliе approue the caufe of thair determination, proceiding of the erles obſtinacie to leane to his pretended right to that erledome, which hes bene fo deirlie purchaſſed be your maieſtie; for if he war induced to acknouledge the trueth of his owne eſtate, and hauing recourſe to your royall bontie, wald renunce all intereſt which he could pretend to that leving, thay wald inclyne humblie to recommend to your maieſtie the appoynting of ane lairger mentenance to him, having reſpect to the honour of his birth and former qualitie. Bot fo long as he prefumes any thing of his right, and dois not interpone his confent and ratification to your maieſties laufull purches, thay ſie no reafon to feid his imaginations at your maieſties too great chairges.

The counſall inclyned to have remitted your maieſties letter and Maiſter Patrick Gordons petition for remburceing his chairges, to the counſall of Edinburgh: Bot, efter that I had proponed to thame, the chairgeing of fum of the principall bourrowes to compeir before thame, and ſie order tane in that buſſines, thay wer pleafed to approue that motion, and direct chairges accordinglie.

The Vicount Fenton will informe your maieſtie of ane ordonance maid be the counſall vpon ane ſupplication gevin in be Glenvrquhy, Lufs, Lawers, and vthers, for difairming the Clan Gregour of all vaponis, except ane pointles knyf, and of all vther affaires concluded in counſall

ſince oure former aduerteiſment. And if any thing ſeme fit to your maieſtie to be altered, your royall directions will be hairtelie and reddelie performed be your maieſties moſt faithfull feruand, whom I ſall carefullie remember of your gracious pleafour, beſeiking God long to preſerue your maieſties lyfe and health, to the effect we may inioy the happines of your protection and moſt prudent directions, and that my reddie obedience may verifie that I am and ſall euer remaine

Your moſt facred Maieſties moſt humble,
faithfull, and bund feruand,

Sr. Th. Hamilton.

Edinburgh, 28 Januar. [1613?]

To the Kingis moſt facred Maieſtie.

LXV.—SIR THOMAS HAMILTON TO KING JAMES VI.

Most Sacred Souerane,

Ane queſtion being broght before your maieſties Exchekker anent the cuſtumes of the waters of Spey, Findone, Loſſie, acclaimed be the erle of Murray vpon the one pairt, and the takiſmen of your maieſties cuſtumes vpon the vther, the erle of Murray produced his heritable infeſtmentis of his erledome and of theſe cuſtumes, togidder with the bourrow mailes of Elgin and Forres, granted to him be your maieſtie, efter diſſolution maid in parlement to that effect, and ratification of the eſtaites of parlement interponed thairto. The Excheker thoght the mater controuerted, and the pairties ſecurities produced to be of ſuch qualitie and conſequence, as thay wald not tak vpon thame the deciſion thairof, bot remitted the mater to the Seſſion, whairin I fand the dewtie of your maieſties aduocat and theſaurar depute verie faithfull. Bot oure cheif conſideration reſpectis the conſequence of the pourpoſe

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more nor the availe and proffeit of the erle of Murrayes title, who having fet thir cuftumes in tak, for ane thoufand merkis Scottis be yeir, it is forefene that his takifmen, or vpliftaris of his cuftumes, may for verie fmall benefite and aduantage to thame felfis, infinitelie preiuge your maiefties commoditie, and pairtlie be geuing cokquets to merchands of thair cuftumes payed to thame, (which thay for les nor the half the deu cuftume will grant, to the vtter vndoing of your maiefties cuftumes), and vtherwayes, be this exemple, fum vther fubiectis who haue right to cuftumes in fum particular boundis of the kingdome may fo defraude your maieftie, of that rent be your cuftumes, which is the greateft and cleireft patrimonie of this crowne, as may with tyme produce intolerable inconuenientis and hairme to your royall eftate.

The beft remeid whairof appeires to be, that your maieftie may be pleafed be your letter to be fent downe with all gudelie diligence, to command my lord Chancelar, to ftay proces in this action till your maieftie be very perfytlie informed of the veritie of the prefent eftate, and probable confequence thereof; and thairwith command my lord Chancelar, taking with him two or thrie of your maiefties counfall or officers, to deale with the erle of Murray to giue him fatiffaction for thefe cuftumes, according to the qualitie of his title, and wourth of his benefite.

I did yifterday fignifie to the counfall of Edinburgh your maiefties pleafour, concerning the gift which Bernard Lindfay hes of your maieftie, of the impoft to be exacted of the tauernars inhabiting his houfes in Leith, and the imployeing the reft of that impoft, dew be the remanent tauerners of that towne, to the moft neceffar publict workis of the burgh. Thair defyre wes, that thay might be permitted to deliuer thair anfueir to your maieftie be one of thair bailzies, James Nifbet, whom thay ar to difpatche touards court tomorrow. So, expecting your maiefties gude pleafour euer to be moft hairtelie and humblie obeyed, I befeik God long to preferue and bliffe your maieftie. Edinburgh, 4 February [1613?]

Your moft facred Maiefteis moft bund
and humble feruand,

Sr. Th. Hamilton.

To the Kingis moft facred Maieftie.

LXVI.—SIR THOMAS HAMILTON TO KING JAMES VI.

Most Sacred Souerane,

This counfaill day oure meiting wes not frequent, my lord chancelar being fumwhat altered, and for preuenting of feiknes, ftayeing at Dumfermeling to tak phifik; for fupplie whairof I wrait in haift to the archibifchop of Glafgow, who having appoynted his finodall affemblie to be keiped at Glafgow yifterday, attended vpon it whill he had fetled the moft important affaires of his clergie, and thairefter raid the moft pairt of the night to cum heir to the counfall, whair he gaue verie faithfull affiftance to the performance of your maiefties directions and feruices.

Keluode infifted in his perfute of the Erle of Caffils, whois excufe writtin to the counfall for his not compeerance, and his defyre of continouation of the mater to ane longer day being refufed, Keluode deduced probation, whairvpon fentence is geuin, finding that he vnlaufullie tuke and deteaned the gentilman prifoner, for which he is ordaned to be charged vnder the payne of horning, to enter and remayne in wairde, in the caftell of Edinburgh, till your maiefties pleafour be knowne.

Sum of your maiefties counfall ar ordaned to confer with the Erle of Abercorne, Lord Vchiltrie, and Sir William Setoun, anent the portes to be affigned for paffage betwix Scotland and Ireland, and proclamationis ar to be maid be thair aduyce, concerning the ordour that may impeid the paffage of vnlaufull perfones or gudds.

The gentilmen nominat be your maieftie to exercife the office of fchiref in fum fchyres cum in your maiefties handis ar ordaned to be fent for the nixt counfall day to accept thair charge. But becaus your maiefties letter commandis all deputes and vther members of court to be difchairged, and it is affirmed vpon knouledge that fum clerkis haue lyf-

rent giftis purchafed deirlie and confirmed be your maieftie, with claufes de nouo damni, it is expedient that your maiefties pleafour be knowne thairanent.

I have caufed fet downe ane act of counfall of the declaration of your maiefties will, anent the effect of your maiefties grantes to the towne of Edinburgh and to Bernard Lindfay, of the impoft to be lifted of the wyne to be uented in Leith.

The 18 of May being affigned be the counfall to the Lord Torthorall for his reconciliation with the Lord Vchiltrie, and he fenfyne preaffed to compeir foner, in refpect of the Lord Vchiltries earniftnes to go to Ireland according to your maiefties command, becaus his abfence at that day may ftay the fetling of that feid, it is humblie defyred that your maieftie may be pleafed to difpenfe with the Lord Vchiltries ftay for fo gude caufe.

Neill Makcloyde died at his execution verie chriftianlie, and Makcloyde Hereis hes tane voyage to court, onlie defyrous of your maiefties gracious countenance.

The Bifchop of Brechin making all poffible haift to obey your maiefties command, in his fpeide repaire to court, and being difturbed pairtlie by tempeftuous weather, and be the intervening deceas of his wyfe, is now vpon his journay. Referring all vther pourpofes to the note of counfall maters fent to be fchawne to your maieftie, I pray God to prorogat your maiefties yeires and multiplie your felicities.

Your moft facred Maiefties moft bund
feruand,

Edinburgh, the 7 of April [1613?]

Sr. Th. Hamilton.

To the Kinges moft facred Maieftie.

LXVII.—SIR THOMAS HAMILTON TO JOHN MURRAY.

Sir,

Be my letter fent yifterday to James Nifbet, I recommended his affaires to yow, and fent thairwith the contract betuix yow and Broughton, togidder with fum writs concerning Johne and James Maxuels to be fubferyved be yow, and letters from Broughton and Drummorrell concerning thair awne bufines, whairof I expect your anfueir. This night I have receaued your letter from Maifter Johne Skene, which I fall obey, referving my dewtie to his brother, to whom yow know I am beholden for his gudewill in the office of Clerk of Regifter, which dois obleis me in all dewtifull thankfulnes; and if Maifter Johne had followed my freindlie counfall, he wald not haue bene intangled in this vnproffitable bufines, bot his owne wilfulnes and too much following the wilfull aduyfe and opinion of fome contentious perfones, hes bred trouble and vexation to him felf and his brother, who will do him reafon and fauour, fo far as may be without his owne extreme preiudice. Alwayes as I haue bene, fo I will continew to be, ane inftrument of peace amongs thame, and whatfoever I do, fall be knowne to be for your refpect, which is the onlie caufe that moues me to mell in Maifter Johnes maters fince I fand him fo obftinat.

I fall informe my Lord of Regifter of your freindlie counfall, who might be perfuaded to vfe courtefie according to his owne tractable nature, if Maifter Johnes peremptour vfage of him had not alienated his mynd from him.

I thank yow for releving my promeis to Lamington, whairof I had moft perfyte affurance, whenfoever the band fould cum to your handis, which yow haue now returned ordourlie perfyte.

Maifter Thomas Foulis, my gudebrither, acknouledgis that fame kindnes from yow, which all my vther freinds hes fund in thair affaires at court, whairof he hes willed me to returne yow moft affectionat thankis,

and to requyre your fauorable continouance. He hes long foght his fortune at court without fucces, not for want of honeft mens gudewill, bot for lak of occafions; and fince thair is no default in him felf, whom I know to be honeft, well inclyned and thankfull, I will moft erniftlie requeift yow to grant him your fauour and help, for his fetling in any honeft feruice, that may be ane meane to him to leive, and ane beginning of his fortune, to be amended be the merite of his behauiour and help of his wourthie freinds, of which number bothe he and I ar, affured that yow will be one of the firft and beft, as I fall faithfullie certifie yow that your infinit kyndneffis to me and my freinds fall mak me euer to remayne

Your moft obleffed and obedient freind,

Sr. Th. Hamilton.

To the right wourfchipfull my uerie wourthie freind John Murray of Lochmaben, one of his maiefties Bedchamber, at Court.

LXVIII.—SIR THOMAS HAMILTON TO JOHN MURRAY.

Sir,

I can wryte no farder of Edmiftons eftate nor my former letters does conteane, for fo far as I can learne nather his wairde nor mairiage will fall. Your vther affaires ar proceiding as yow directed thame, and the proceiding of counfall maters wil be fignified be ane note thereof fent to his maieftie, and fum letters writtin be the counfall to his maieftie concerning the Erle of Caffils and late Lord Maxwell, fo as the onlie caufe of my wryting thir lynes is to convoy to your hands ane letter from my Lord of Glafgow, who having reffaued no anfwers of findrie

letters fend to yow fince his returning to this cuntrie, feimes to diftruft the faif cumming of his former letters to your hands, whairof I pray yow refolue him be your anfueir. Vpon the 24 of this moneth I fend to yow ane letter from my Lord of Scone, and expreffed my vnchainged refolution in the pourpofe concerning my felf which I thoght vntymous, becaus I wes perfuaded that it wald appeir fo to thefe, without whome it could not conuenientlie proceid. So fince I neuer did affect it, I wald be forie that it fould be vnfeafonablie moued when no fucces could be expected bot my difgrace, as if I fould be knowne to fute vainelie the thing my freinds had no credit to obteane. As yow fall pleafe to command me any farder in your affaires I fall be reddie to obey, as I am exceidinglie obleifed, in refpect whairof I fall ever remayne

Your moft faithfull freind to be commanded,

Sr. Th. Hamilton.

Edinburghe, 28 April [1613?]

Sir, If any thing cum to your knouledge concerning my feruice which aither be omiffion may offend or be diligence giue fatiffaction to his maieftie, I pray yow if your laifer ferue not to wryte of it. Direct Maifter Th. Foulis or James Douglas to do it.

Archbald Cambels letters will informe yow of the eftate of the feruice aganis the Clangregour bothe young and olde, and of his brothers intention how to profecute that which reftis to be done thairintill. The fignatour which his maieftie figned to Lawers, is ftayed be ane laitter warrand fent from his maieftie. No man will be fo fooliffh as to prefume to advyfe his maieftie how to recompens Lawers, which his maieftie can better confider nor we can propone. But it may be trewlie affirmed that he hes faithfullie ferved and profittablie, with great paynes and loffe, whairof no dowt his maieftie will graciouflie confider.

It hes pleafed his maieftie to mak election of the laird of Clofburne to be fhireff of Dumfreis for this yeir, which he bothe can and will difchairge faithfullie, if the burding of his eftate, and ftraitnes of his creditours, im-

peid him not; whairof we can not perfytlie judge whill his owne anfueir cum. But incaice hornings for debt may impeid him, it wer not amiſſe to think and remember his maieſtie of the nixt beſt choice.

To my honorable and wourthie freind John Murray of Lochmaben, one of his Maieſties Bedchamber, at Court.

LXIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Gratious Souerane,

According to youre maieſteis directioun, we wryte for the laird of Johnnſtoun, his moder, and goodedame, to vndirſtand of thame, gif thay wald perſiſt in the perſute of that petitioun, exhibite vnto youre maieſtie in thair names, whairby thay craued iuſtice to be execute vpoun the forfeyted Lord Maxwell, for the ſlauchtir of the laite laird of Johnnſtoun. Thay come all to this burgh, and the laird of Johnnſtoun, with his moder and tutor, preſentit thame ſelfis before ws, and declairit that thay wald inſiſt in the perſute and proſequutioun of that mater, according to the tennour of thair petitioun. The auld lady Johnnſtoun, through ſeiknes and inhabilitie of hir perſone, being vnable to compeir before ws, haueing with grite difficultie come to this burgh for this ſame eirand, we directit and ſend the Biſhop of Caithnes, the Lord Kildrymmie, and Lord Preuey Seale to hir, to vndirſtand hir will and pleaſoure in this mater: vnto whome ſcho declairit, that ſcho come heir purpoiſelie for that mater, and that ſcho wald inſiſt according to the tennour of the petitioun;

ſua that now thair reſtis no farder bot youre maieſteis will and pleaſoure to be declairit, quhat forder youre maieſtie will haif to be done. Wherein, althoght the concluſioun of youre maieſteis lettre beiris, that we ſould proceid to the adminiſtratioun of iuſtice, yitt, in reſpect of a worde caſſin in in the preface of the lettre, beiring that youre maieſtie had not as yitt gevin a direct anſwer to thair petitioun, we haif preſomed firſt to acquent youre maieſtie aſoir we proceid any forder; and whateuir it ſall pleis youre maieſtie to direct in this mater ſalbe immediatlie, and without delay, execute. Thair wes a petitioun gevin in this day vnto ws, be Robert Maxwell, bruther to the ſaid laite lord, with ſome offeris to the pairtie, bot becaus the mater concernit not ws we wald not mell thairin. Alwyſe we haif heirwith ſend the ſame to youre maieſtie, to be conſidderit of as your maieſtie ſall think goode. So, praying God to bliſſe youre maieſtie with all happynes and felicitie, we reſt

Your Maieſteis maiſt obedient ſubiectes
and ſeruitouris,

Al. Cancells.	Linlithgow.
J. Hamilton.	A. Mar.
Glencairne.	Kingorne.
Glasgow.	Alex. Hay.

Edinburgh, 28 Aprile 1613.

To the King his moſt facred and
excellent Maieſtie.

LXX.—OFFERS MADE BY LORD MAXWELL.

THIR offeris following ar maid be me Johnne fumtyme Lord Maxwell, for my felff, and in name of my kyn and freindis, to [James] now Laird Johnftoun and his tutoris and curatouris, Dame Sara Maxwell, Ladie Johnftoun younger for the tyme his mothir, Dame Margaret Scott, Ladie Johniftoun elder his guddame, and to thair kyn and freindis, for the vnhappie flauchtir of vmquile Sir James Johnftoun of that Ilk, knyght, committit be me.

In the firft, I humblie confes my offens to God, the kingis maieftie, and to the foirfaidis perfones for the faid vnhappie flauchtir, and declairis my felf to be maift penitent thairfoir, craveing firft mercie at the Almichty God for the fame, nixt favour and grace of the kingis maieftie my fouerane lord, and forgifnes of the greit offence done to the foirfaidis perfones, teftifeing be my foleme aith vpone my faluatioun and condempnatioun, that the foirfaid vnhappie flauchtir wes nawayis committit be me vpone foirthocht fellonie or fett purpois, bot vpone meir accident; lykas for cleiring thairof, I am content to purge my felff be my greit aith in publict quher it pleifs the pairteis to appoint, and do quhat farder homage falbe thocht expedient.

Secundlie, I am content not onlie for my felff, bot for my hail kyn and freindis, to forgiff the flauchtir of vmquhile Johnne Lord Maxwell my fathir, committit be the faid vmquhile Laird of Johnneftoun and his complices, and to mak all perfones, quha wes athir gyltie, culpabill, or airt and pairt of the faid flauchtir, in fecuritie thairfoir, fua that thai nor nane of thame fall nevir be trublit for the fame be me, nor be nane of my kyn and freindis, directly nor indirectlie, in tyme cuming, and for that effect fall mak fik forme of fecuritie as fall agrie with reafoun.

Thirdlie, becaus Johnftoun, dochtir to the faid vmquhile Sir James, wes by the fuddant and vnhappie flauchtir of hir faid vmquhile

fathir, left vnprovydit of ane fuffitient tochir, and for the bettir avoyding of all inmitie that may arryfe betuix the houfs of Maxwell and Johnftoun, and for mair fuir eftablifching of freindfchip amangis thame in tyme cuming, I am content to marie and tak to my wyffe the faid

without ony tochir.

Fourtlie, I defyre that the Laird of Johnftoun may be mareit to Dame

Maxwell, eldeft dochtir to Johne Lord Hereis and fiftir dochtir to me, quha is a perfone of lyke aige with the Laird of Johnftoun. Lykas I falbe obleift to pay to the faid Laird of Johnftoun, in name of tochir with my faid fifter dochtir, tuentie thowfand merk Scottis, and quhat farder falbe thocht expedient be the ficht of freindis.

Fyiftlie and laft, I am content, for the farder fatiffactioun of the hous of Johnftoun, to be banifhit his maiefties dominions for the fpace of fevin yeiris and farder, at the will and plefour of the Laird of Johnftoun. Thir offeris to be augmentit at the ficht and difcretioun of newtrall freindis to be chofyn to that effect.

Vnder proteftatioun alwayis, that thir offeris befoir wryttin, maid vnto the pairtie, be nawayis offenfiue to the kingis maieftie, nor to his hienes counfall.

LXXI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Gratious Souerane,

Whereas, by the examinatioun of that complaynt perfewit be the laird of Kelwode aganis the Erll of Caffillis (whairin the erll compeirit not to vfe his lauchfull defenffe), it wes provin, that Kelwood wes tane and maid prifonner be the erll; for the quhilk, decrite and fentence

wes gevin aganis him, ordaning him to entir his perſone in waird within the caſtell of Edinburgh, whilk he hes accordinglie obeyit, he finding that his ſilence and not compeiring to defend, in that mater, had inferrit aganis him ane opinioun of his guiltynes of a cryme, whairof he pretendeth to be moſt innocent: for cleiring him ſelff thairof, and to bring the mater to a ſecund heiring, he reaſed ane ſummondis aganis Kelwode and his brother, and Johnne M'Ilvane of Grymmett, for that ſame inſolence and ryot committit be thame, whairvpoun Kelwode his wairding proceidit; and in this actioun, proces being grantit to him aganis M'Ilveane and Kelwodis bruther, his awne abſence being excuiſit vpoun alledgeance that he wes at Courte; and M'Ilveane being lykwyſe hard in ane proces perſewit be him, aganis the laird of Blaquhan for this ſame ryot; whairvpoun Kelwood wes wairdit be the erll, and bothe thir proceſſes being verie narrowlie examinat, in the audience of the haill counſell, being convenit in a verie frequent nomber, it appeiris verie weill by deductioun of the twa proceſſes, that the erll of Caſſillis, in the taking and committing of Kelwode, had no privat reſpect nor conſideratioun of his awne, bot ſimplie his affectioun to juſtice and preſerving of your maieſteis peace, inſofer as this inſolence is cleirlie provin aganis M'Ilveane and Kelwode, his bruther, and thair complices, and that the erll him ſelff wes verie far contempnit and miſregairdit be thame, wheras he come vnto thame the tyme of the tumult, and commandit thame, in your maieſteis name, to keip your maieſties peace. Quhilkis haill circumſtanceis being conſidderit be the counſell, thay ar all of opinioun, gif the erll had appeirit in the firſt proces, and vſit thir defenſſis, whilkis he hes now provin at this ſecund heiring, that the ſame wald haif bene ane goode exceptioun and defence aganis Kelwoodis complaint. M'Ilvane, vpoun this probatioun led aganis him, is maid priſonner in the tolbuith, and charges ar direct aganis Kelwodis bruther for his entrie in that ſame waird. This being the effect and ſubſtance of thir twa proceſſes, we haif heirby preſentit the ſame to your maieſteis princelie conſideratioun; and we haif forborne to grant ony libertie or releif to the erll, quhill your maieſteis will and pleaſour be knowne, whilk we will attend at your maieſteis beſt

opportunitie. So, with oure hairtie prayeris vnto God, recommending your facred maieſtie to his divyne protectioun, we reſt

Your Maieſteis moſt humble and obedient
ſubiectis and ſeruitouris,

Al. Cancell^s.	J. Hamilton.
Glasgow.	Glencairne.
Abercorne.	Jo. Prestoun.
Alex^r. Hay.	

Edinburgh, 28 Aprile 1613.

To the King his moſt ſacred and
excellent Maieſtie.

LXXII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Gratious Souerane,

According to your maieſteis directioun, we cauſit charge Sir Alexander Seytoun to compeir befoir ws this xviii of Maij, to haif hard and ſeene him diſchargeit of all aſſumeing vnto himſelf the ſtyle, title, rank, and dignitie of ane erll. He compeirit be Sir Williame Seytoun, his vncle, who firſt proteſtit that ſeeing be the contract, infeftmentis, and

prouifionis maid to the faid Sir Alexander, of the landis, leving and erldome of Eglintoun, he wes oblift to tak the name of Montgomerie, whilk he did acknowledge as his proper name, and wald not, nor could not acknowlege ony vther name. That thairfoir his anfuering to thir fummondis in the termes as wer confauit, in the name of Sir Alexander Seytoun, fould infer no hurte, preiudice nor inconuenient vnto him, and then he produceit ane lettre vnder the faid Sir Alexander his hand, whilk we haif heirwith fend vp to your maieftie, conteining the excufe of his not compeirance, and the defenffes whilkis he had to vfe in this mater, being groundit vpoun ane heritable infeftment of tailyes, paft your maiefties grite feale with all folempniteis requifite, and vpoun ane re[tour] of your maiefties Chancellarie, paft be ane ordinar forme of inqueift of ane nomber of no[bilmen], whairby the faid Sir Alexander wes ferved as narreft and lauchfull air of tailye to the laft Erll of Eglintoun. For verificatioun whairof, he produceit the infeftments foirfaid, grantit to the laft Erll of Eglintoun, and his airis maill lauchfullie to be gottin of his body, quhilkis failyeeing, to the faid Sir Alexander and his airis, fpecifeit in the faid infeftments, of the haill landis, leving and erldome of Eglintoun, with the officeis and what els belonged thairunto; and he lykewayes produceit the retour and feruice foirfaid, following vpoun the faid infeftment, whairby, the faid Sir Alexander wes fervit air as faid is. Quhilk infeftment and retour being at lenthe feene, confidderit, and examined be ws, it wes fundin, be the haill voiceis of the table, that the difputationis whilkis wald refult and aryfe thairupoun, could not be proper nor competent to be handlit in this iudgement, bot behooffit to abyde be the courfe of law in the ordinar iudgement, of the Seffioun; and thairfoir we thoght meete, that this mater fould reft and ly ouer till your maiefteis forder pleafour wer knowne, nowayes bot your maieftie, in the finceritie of your royall hairt and difpofitioun, whiche is weele groundit vpoun infallible reafonis of equitie and iuftice, will gratiouflie accept this oure refufaill to tak vpoun ws, the decifioun of a mater nowayes fitting nor competent to oure placeis, fince the mater may be formalie handlit, and orderlie and fummarlie profequuted in the awne place and iudgement. And fo pray-

ing God to grant vnto your maieſtie ane lang, happie and proſperous reigne, we reſt

Your Maieſteis moſt humble and obedyent
ſubiectis and feruitouris,

AL. CANCELL^S.
J. HAMILTON.
ABERCORNE.
LINLYTHGOW.
JO. PRESTOUN.
R. COKBURNE.
ALEX^R. HAY.
A. DRUMMOND.
G. MURRAY.

Edinburgh, 18 May 1613.

To the King his moſt ſacred and
excellent Maieſtie.

LXXIII.—EARL OF EGLINTOUN TO THE LORDS OF PRIVY COUNCIL.

MAIST NOBLE AND MAIST HONORABLE GOOD LORDS,

IN all humilitie and reuerence, I craue your honours pardoun and fauourable interpretatioun, for my abſence at this tyme, being cited to compeir befoir your lordſhips to heir and ſie me diſchairgit at our ſouerane lord his inſtance, fra all aſſuming wnto myſelf the ſtyle or tytill of ane earle, as if I had na farther right thairto, other nor be contract paſt betuix me and wmquhyll Hew laſt Earle of Eglintoun. I mynd neuer my lords to preſent my ſelf in judgment, nor to na vther place, to be in onie ſort oppoſite to onie thing I may wnderſtand, is my maiſt gracious ſouerane his pleaſure, albeit the ſame ſould proceid from ſiniſtrous informatioun, miſtaking or hard apprehenſioun: I am reſolued, as it is mair ſeamlie for me, and ſutable to theſe I haue the honour to be diſcendit of,

rather to ſpend my bloode, my lyfe, and all I may claime to, in the mantenance and advancement of his ſacred will, and all his royall commandementis. I haue neuertheles thoght neceſſar to preſent herewith wnto your honours eies, ſic right and tytill as I haue, to the ſtyle and honour of Earldome of Eglintoun, (albeit vnworthie of the ſame,) na les nor to the lands, lordſhips, baronies, patronages, and haill pertinents of that hous, and leuing, to wit, ane tailzied chairtour authorized be his maieſties great ſeall, and ane retour out of his maiſt gracious maieſties Chancellarie paſt be ordinar forme of tryell, be ane aſſyſs of a ſufficient number of maiſt ancient, noble and worthie men, and peirs of this kingdome, the onlie beſt, maiſt ſure, and laufull grounds, wherby I could euer wnderſtand, lands, dignities, or onie ſic thing as men deſyres and aſpires to, might maiſt ſurelie be acquyred and injoyed in this eſtait. Theſe I entreat your honours fauour tak the paines to vieu and conſider, and in your great wiſdome advyſe, if there be not ſufficient warrands to me for all I acclame or pretend to, ſa lang as the ſame ſtands nather reſchindit nor challenged be ordinar cours of lau, beſoir the ordinar judges of this kingdome, in all ciuill cauſſis and tytles: Quairin, if anie juſt caus of quarrell or challenge war, be anie defect ather in ſubſtance or formalitie, as the ſamyn wald requyre wther witts nor myne, experienced in laus and formalities to defend and mantene the ſame, ſo knau I weel your honours is not in cuſtome in this judicatorie of priuie counſall, nor wald neuer giue audience to anie ſic diſputatioun foundit vpon ſic autentick writts and tytills; bot wald remit the ſamyn to the ordinar cours of lau, to the audience of our ſouerane lords Colledge of Juſtice, and Lords of Seſſioun, ordinar judges to all ſic cauſis in this eſtait. Quhilk cours I houp your honours will inſinuat, (eſter the ſight of theſe my writts,) to our maiſt gracious ſouerane, to be maiſt convenient for to be followed in this alſo. If anie pairtie (quhilk I houp nane ſall haue juſt caus to do) think themſelfs greued in anie thing I acclame, quhen euer ſic actioun ſall be intendit beſoir the ordinar judge, if I be not found to haue ſufficient anſueirs and defences, quhateuer is tane fra me in that forme, being done in ordinar cours of juſtice, can neuer carie to me diſcredit nor diſgrace, may weill mak me the les able, ſall na wayes impair my good will to

ſerue in all affectioun, with all ſic as ſall reſt behind with me our dread ſouerane lord. If I war preſent I could ſay nane vther bot this, the novaltie of this forme of actioun will excuſe I houp in your favourable diſpoſitiouns this wncouth forme of my anſueir be writ in abſenſe: I knaw not if I ſould terme it a defence or declinator. Your honours I dout not will wey the importance of this matter, and to what conſequence ſic a preparatiue may draw. Quhat euer your lordſhips ſall reſolue here anent, I ſall alwayes honour and reuerence as becomes me. And rather nor my abſence ſould be in onie ſort offenſiue to your honours, if it be your will and command, I offer myſelf vpoun your intimatioun to the delyuerer heirof, to rander myſelf beſoir your lordſhips, vpon quhat ſchort tyme ſall pleis you appoynt to receaue all your honorable commandements, lyk as I reſt for euer

Your Honours, in all humilitie, maiſt
affectionat ſeruitour,

EGLINTOUN.

LXXIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE haiſ hard (to our great greiff and ſorrow) by the relatioun of your maieſteis Secretarye, and be the inſtructionis committit be your ſacred maieſtie, to his credite, how far your heynes is diſcontented with the preſent gouernament of this eſtate, as yf the haill miſordouris and accidentis whilkis fallis oute heir, proceedit frome oure cairles negligence and not diſcharge of oure dewteis, in that credite and truiſt whilk your heynes hes repoiſed in ws, wherin we ar not a litle grevit to be ſa hardlie cenſurit, wheras thair is no thing moir deir vnto ws, then to approve all oure actionis and trauellis to your maieſteis goode lykeing and contentment; for thair is no courſe that euir hes bene kepit, for pvniſhement or

repreſſing of malefactours, whilk hes not bene profequuted be ws, with als great cair as euir hes bene done at ony tyme preceding; and ſeing we haif no other pouer bot ſick as hes charge of your maieſteis gairdis, we directit and employed thame at all occaſionis, and in oure diligence of perſewing thame, we haif euir prevented the pairtyis, and hes denunceit thame at your maieſteis inſtance, befoir thay wer chargeit be the pairtyis, and hes done als great exemplair pvniſhement, thir foure or ſyve yeiris, as euir wer done within this cuntrey. And as to the particulair profequutioun of the Lord Maxwellis refettaris, thair is a nomber of thame called, fynned and wardit. The reſt ar ſummond to particulair dyettis, and falbe pvniſheit.

As to the ſlaughter of Cowhill, that feid is auld, weill knawn to your maieſtie, and na complaint of it maid by ony to the Counſell; and theſe brethir of Kirkhous had alwayes fauour, bot not frome the Counſell, and the committair of that ſlaughter is come in England.

And wheras your maieſ[illegible]is informit, that theſe who wer appointed to profequute the Lord Ma[illegible] keepit company with him, thay who hes the commandment of your maieſteis gairdis humelie craveis tryall of that calumnye: as lykewayes that that cove whilk is the allegeit place of his refett, may be deſigned, for we can not find ony cuntrey man that knawis ony place in Nithiſdale or Galloway that caryis that name.

Commandment is gevin to the kingis aduocat to perſew Lochinvar for the ſlaughter of his feruand, albeit the ordinair forme be, that the aduocat ſould haif ane informair; and it is not ill iuſtice when the pairty gettis it vpoun ſute.

As for Maiſter Gilbert Brown, his cautioun is vnlawit, and the ſowme payit to the theſaurair; yff he be ſtill within the cuntrey, becaus he latitatis obſcuirlie and we can haif no tryall of him, we haif writtin to the preſbetereyis within whoſe boundis he is moſt ſuſpected to be refett, to gif vp the names of his refettaris, and thay ſalbe accordinglie pvniſheit, lykeas meanis ſalbe maid for his apprehenſioun, yff he remane within the cuntrey.

The Erll of Errole wes ſummond befoir this directioun, to compeir and exhibite the laird of Geycht befoir the Counſell.

As for Maiſter Johnne Hammiltoun, thair wes nevir ony dilatioun maid to the Counſell of his being within the cuntrey, or of his reſettaris, and that ſould haif bene the conſtant moderatoris diligence to haif ſhawne the Counſell, yff ony ſuche thing wes, bot when all dilationis, whidder trew or fals, comeis firſt to your maieſtie, and we reproued as remiſs and negligent, in thingis that can not probablie come to oure knowledge, we ar not able to yeild your maieſtie ſatiffactioun. Alwayes we haif ſend for Maiſter Johnne Hall, conſtant moderator heir, and willed him to certifie his brethrene, that we deſyre to be certifyed of his reſettaris, that we may proceid aganis thame, as we ſall proceid aganis all vtheris of his conditioun.

As for the gwnis and piſtollettis, we haif pvniſheit the weiring of thame with als greate rigour as evir thay wer, as the theſauraris comptis and fynes takin vp for that offens will teſtifie; and no man is able to affirme that evir ony complaynt of that natur wes broght befoir the Counſell, that wes not pvniſheit. We haif lykewayes craavit privat informationis oute of all pairtis of the cuntrey, of the [illegible] and weiraris of piſtollettis, and ſall tak ſuche ordour with thame as appertenis.

As for the eſtate of the north, we haif conferrit with the Marques of Huntley, and ſindrie other cuntrey men, and findis no ſuche diſordour. Na cuntrey is free of thair particulair diſcontentmentis, as betuix the laird of Drum and the name of Forbes, and yitt all the pairtyis ar vnder cautioun for your maieſteis obedyence.

The tryall of that ryott of Drumfreis wes vnder tryale beſoir your maieſteis directionis come, and ſalbe profequuted with all rigour.

The buryall of the Lord Maxwell wes a calumney, wherwith as with mony mo your maieſtie is importuned, for he lyis ſtill vnbureyit quair he wes: as lykewayes the ſlaughter of Johnneſtoun of Howgyll wes alyke fals.

The Collector hes promeiſt to extract all patronageis paſt by him, ſen your maieſtie going to England, wherin we hoip he ſall gif your maieſtie ſatiffactioun. And ſua humelie craving pardoun of your ſacred maieſtie for this oure preſumptioun, we wilbe bauld in all reuerence to intreate your heynes fauourablie to conſtrue oure doingis, and to accept in goode

pairt the ſimple panes and travellis whiche, with all deutifull regaird towardis your maieſtie, we beſtow in your heynes ſeruice, wherin our cheifeſt cair is, to approve oure ſelffis euery way in that meaſour to your maieſtie, whiche to oure charge and credite apperteyneth, ſua that your maieſteis gratious acceptance of oure trauellis, may not onlie rander ws conforte and contentment, bot encourage ws, cheirfullie and glaidlie, to go fordwart in that courſe, whilke your maieſtie expecteth of ws, and whilk to oure charge, dewytie, and placeis apperteyneth. Thus ending with oure humble and hairty prayeris to God, for the continwance of your ſacred maieſtie and your royall progenie in all happines and felicitie, we reſt

Your Maieſties moſt humble and obedyent
ſubiectis and ſervitouris,

Al. Cancells.	J. Balmerinot.
Lothiane.	Sr. Th. Hamilton.
Scone.	Bewly, Comptroller.
A. Vchiltrie.	Jo. Preſtoun.
Halyrudhous.	

To the Kingis moſt excellent Maieſtie.

LXXV.—SIR THOMAS HAMILTON TO JOHN MURRAY.

Sir,

Your letter of the 14 of this moneth was delyuered to me yiſterday. Promeis is maid that the lord of Tortherals money will be payed, if ſo be it ſall be imployed as ye have directed, and tymous aduerteiſment ſall be ſend to yow how all proceids.

I am ſure yow have reſſaued long or now Maiſter Johne Aikmans owne anſweir concerning his intromiſſion with your rentis and his accomptis thairof.

I haue not reſſaued theſe copies of your bands gevin for ſowmes, for which the Laird of Lochinvar was caution for yow, albeit your letter mak mention of theſe copies; bot I haue reſſaued ane litell vnſubſcryved compt of the ſowmes deburſed in ſum of your affaires, which I tak to be your buſines of Pinzerie.

Your cuſingis turnes which ye ſo eirniſtlie recommend ſall haue be me all the furtherance to ane juſte and reaſonable appoyntment that can ſtand with my dewtie; for I am ſufficientlie informed of your caire of the buſines, both be your owne ſpeache and many letters.

My Lord of Scone is cum to this towne, with whom I have met this morning, bot have not fund his laiſer to confer in your particular, for he had ſchort tyme to ſtay with me, and, as I heir, is faſched with affaires which ar ſo neir and weightie to him, that it had bene indiſcretion to haue troubled him vntymouſlie with the vther pourpoſe, which I ſall not neglect at the firſt gude occaſion. I know ye will be forie to heir of the cauſe of his anger, for albeit it may be that he be als ſpairing to wryte plainelie to yow as he wes to ſpeak to me of it, yet I am perſuaded that thair is much of that mater knowne to theſe who of dewtie can not omit to wryte of it to yow, and than ye will in your wiſdome judge of it as it merits, and do in it as beſt agries with the intereſt of theſe whom it touches; which I remit to your freindlie diſcretion, and recommend yow to Goddis protection. Edinburgh, this 21 May [1613?]

Your moſt affured and obleiſſed to be commanded,

Sr. Th. Hamilton.

The laſt Lord Maxwell is now beheaded at 4 a clok this efternone.

Sir, I pray yow have ane caire, that in this mater concerning my Lord of Scone, it be not knowne to any, that aither letters from him ſelf, or from his freinds be his knouledge, fould be the ground of any aduerteiſment to

court, and that it be cairied thair als quyetlie as may be, whairin all muſt rely vpon your freindlie diſcretion and ſpeidie anſueir.

To the right wourſchipfull my
moſt wourthie freind John
Murray of Lochmaben, one
of his maieſties Bedchamber.

LXXVI.—KING JAMES VI. TO SIR THOMAS HAMILTON AND SIR GIDEON MURRAY.

James R.

Trusty and welbeloued Counſellours, wee greete yow well. Whereas Archibald Campbelle hath made ouuerture to vs, of a cours to be taken for pacification and reduction to ciuilitie of all the highlandes of that our kingdome, which in our iudgement carying good probability of bringing that to paſſe which wee haue theſe manie yeares wiſhed, wee haue made ſpeciall choyce of yow two, (as in whome wee repoſe moſt truſte in this buſines, and eſteeme moſt fitte to do vs ſeruice in thoſe partes, as hauing no particulare reſpectes there,) willing yow diligentlie to conſider of the heades of the ſaid ouuertour, and (ſeeing it is ſo neceſſarilie to be embraced) with all expedition conuenient, to draw vp a commiſſion to the earle of Argyle, the lord of Scone and your ſelues, with ſuch articles, heades and clauſes therein, as yee ſhall thinke moſt requiſite for performance of the ſeruice, and amongſt others a ſpeciall clauſe conteyning ſpeciall power to your ſelues to graunte remiſſions to ſuch as yee ſhall thinke fitte. Which commiſſion hauing ended, it is our pleaſour that immediatelie therafter, yee ſende the ſame vnto vs by the ſaid Archibald, to the intent that wee may expede the ſame both with the greateſt celerity and ſecrecy that may be. And if for performing of the ſaid ſeruice yee ſhall ſtande in neede of force, it is our pleaſour that yee employ the laird of

Lawers before any other, as one who hath already giuen fufficient teftimonie of his affectioun to our feruice: and thefe premiffes moft earneftlie recommending to your fpeciall care and expedition, according to the truft repofed in yow, wee bid you farewell. At our mannour of Greenwich, the viij^th^ of June 1613.

To our trufty and welbeloued Counfellours Sir Thomas Hamilton, our Secretarie, and Sir Gideon Murray, our deputy treaforer of our kingdome of Scotlande.

Indorfed by Sir Thomas Hamilton:

"Reff. 16 Junij, 1613.

"His Maieftie anent commiffion for pacifieing the Hielandis, granting remiffions, imployeing the laird of Lawers in feruice."

Vnder his Majeftys Seal.

LXXVII.—KING JAMES VI. TO SIR THOMAS HAMILTON AND SIR GIDEON MURRAY.

James R.

Trusty and welbeloued Counfellours, wee greete yow well. Whereas Archibalde Campbell hauing vndertaken, for the benefite of fome parte of that our kingdome, to bring in ftraungers for making of reade heringes, and becaus the fame wilbe verie chargeable vnto him, hath not onlie fought the fole making of reade heringes in all the boundes betwixte Paintland Firth and the Mulle of Galloway, but alfo for fupplie of his

charges, hath fought in penſion thoſe fouretene laſt of heringes yearelie payed vnto vs by our right truſty coſen, the earle of Argyle, as the dewty of the tack of the aſiſe heringes of thoſe partes ſette vnto him. And foraſmuch as the ſaid Archibald hath confidentlie affirmed vnto vs that the ſaid fourtene laſt of heringes haue not in any yeare heretofore bene worth aboue ſix or eight and thirty poundes ſtarlinge, wee haue thought good hereby to require yow to learne what the ſame haue bene worth at any time bygone, and finding the treuth to be according to his aſſertion, that yee cauſe expede vnto him the guifte of the ſaid penſion, and graunte of the ſaid licence, withoute any compoſition. And ſo wee bid yow farewell. At our mannour of Greenwich, the viijth of June 1613.

To our truſty and welbeloued Counſellours Sir Thomas Hamilton, knight, our Secretarie, and Sir Gideon Murray, knight, our deputy treaſorer of our kingdome of Scotlande.

Indorſed by Sir Thomas Hamilton:

" Reſſ. 16 Junij, 1613.

" His Maieſtie anent the priuilege of reid hering to Archib. Cambell.

" Ane penſion to Archib. Cambell of the Aſſyſe hering of the weſt ſea."

Vnder his Majeſtys Seal.

LXXVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Gratious Souerane,

This xvij of Junij inftant being the appointit dyet for proueing of the complaint maid be the erll of Caffillis aganis the Laird of Kelwode; and he haveing foundit his complaint vpoun thefe fame verie pointis of mifbehaviour and infolence committit be Kelwode, whairupoun Kelwode his warding proceidis; whairby it appeiris that the erllis cheif fcope and purpois wes to juftifie and cleir him felf of that imputatioun of vnlauchfull and partiall proceding, whilk he vndirlyis in the taking and committing of Kelwode: And thay being bothe at grite lenth hard in this mater, and a nomber of witneffes being produceit, admittit, and narrowlie and exactlie examinat thairintill, it is cleirlie verifeit and provin, that in a tumult whiche happynnit and fell oute, within the towne of Mayboill, betuix the Laird of Blaquhan and Johnne Mcilvane, youngair of Grymmett, that the faid Laird of Kelwode not onlie joyned him felff to Grymmett, and remanit in companie with him during the tyme of the tumult, bot quhen the Erll of Caffillis, vpoun occafioun of the tumult, come to the gait, and as one of your maiefteis counfaill, the cheif magiftrat of the cuntrey, and a juftice of peace, commandit bothe pairtyis to keepe the peace, that he gat no obedyence on the pairt of Grymmett and his companie; as alfua, that Kelwode directlie opponnit him felf aganis the faid erll his baillie, who, immediatlie after the tumult, being directit be the erll to charge Grymmett and Dauid Corrie, bruther to Kelwode, cheif authouris of that tumult, to enter in warde; and coming to the houfe quhair thay wer in companie with Kelwode, the faid Kelwode planelie withftoode and refiftit the baillie, faying, Grymmett fould not go to warde, and yf the erll him felf wald fetche him, that he fould tak him ouer his bellie or he gatt him to warde. This probatioun being hard and dewlie confidderit, it wes fundin, be vniforme voiceis of the haill table, that Kelwode had verie far ouerfeene him felff, by his mifbehaviour, in the twa particulair pointis abouewrittin; for the quhilk, decreit and fentence is gevin aganis

him, ordaning him to enter his perfone in warde within the caftell of Blaknes, thair being no voyde place nor rowme for him in the caftell of Edinburgh. Vpoun the pronunceing of this fentence, the Erll of Caffillis, in a verball difcourfe maid be him, quhairin verie folemnlie he purgeit him felf of all priuat grudge or partiall confideratioun in the committing of Kelwode, and that he had no vther refpect bot the difcharge of his dewyteis and the preferving of your maiefteis peace; he humelie craued that we wald gif notice heirof unto your maieftie, and be interceffouris at your maiefteis handis for his relief. Whairupoun we haif heirby prefomed to prefent vnto your maiefteis graue and princelie confideratioun, the trew eftate of this proces, as it wes verefeit and provin befoir ws, with the cenfure whiche we haif maid thairof, leaveing it to your maiefteis more excellent and cleir iudgement to confidder thairof, and fo to difpoife vpoun the faid erll, his reftreante or releif, as your maieftie, in the finceritie and integritie of your awne iudgement, fall find fitting. And fo recommending your maieftie and your royall progenye to Godis mercifull protectioun, we reft

Your Maiefteis moft humble and obedyent
fubiectis and feruitouris,

AL. CANCELL[s]. J. HAMILTON.
SANCTANDROIS. JO. PRESTOUN.
ABERCORNE. R. COKBURNE.
BLANTYRE.

[No date.]

To the King his moft excellent Maieftie.

LXXIX.—SIR THOMAS HAMILTON TO JOHN MURRAY.

SIR,

I reffaued your letters of the 17 yifternight, immediatlie efter your miftres arrivall at this towne in gude health, praifed be God. Scho

hopes to tak well with hir naturall aire, and neuertheles intendis to make all gudelie haift to yow, and to cum als neir the terme appoynted be hir maieftie as fcho may.

As yet, I haue not had much occafion of conference with hir, becaus fcho muft giue this tyme to hir freindis, who ar defirous to falute and welcum hir to the cuntrie. Bot before fcho go furth of this towne, we fall tak more tyme to thefe maters, alfwel concerning your rentis as your turne with my Lord of Scone, and your vther affaires, whairof fcho hes made ane generall motion. As to hir owne fecuritie, nothing is defyred to be mended in it bot that it hurt hir not of that, which your felf intendis to hir; for I muft beare hir true witnes, that fcho acknouledgis all hir prouifion to proceid of your meere fauour, and that fcho acclames no thing vpon merite, bot dependis whollie vpon your approvin gudewill.

At hir firft cumming to this, newes met hir heir, of the deceas of your brother Sir Dauid at Dumfreis vpon the 16 of this moneth. The Laird of Cokpule wrait of it, and defyres that refpect may be had to him, for the place of one of the Comiffionars, which vaikes be Sir Dauids death, as alfo the keiping of the Caftell of Dumfreis, whairof I thoght fit to aduerteis yow in dew tyme, that yow might tak fik ordour thairin, as to your wifdome fall feme expedient.

Thefe to whom the controuerfie anent the leiving of Sanquhar is remitted, ar to conveine before thay go from this towne. Thay ar all well affected to the equitable fetling of the pairties, and as things proceid, yow fall be aduerteifed.

Be gude luk, my Lord of Scone is this day cum to this towne, and hes affured me that he hes caufed forme and fubfcryve ane procuratorie of refignation of the policie, park, ftewartrie, and fies thairof, which he and Baluaird hes fubfcryued. Bot he hes promeifed to fend that and his evidents heir, to the effect it may be confidered if any thing neids to be reformed be your men of lawes fight. As to his howfe, he fayes, he will wryte to your felf the reafons why he difponis it not with the reft, which I remit to his owne letter. We haue met in Williame Creichtoun and my Lord Sanquhars fones tryfte, which is continoued to the nixt counfall day.

My Lord of Glafgow hes trauelled cairefullie to agrie Sir James Skene and his father and brother, and hes promeifed to aduerteis yow be his letter of the conclufion thairof.

My Lord of Scone hes conferred with your lady, and promeifis to fie things perfyted at hir cumming to Falkland, as his letters to your felf will more particularlie bear.

I caufed giue in ane bill to the counfall for ane warrand to the Laird of Cokpule, to reffaue the keyes of the Caftell of Dumfreis; which granted, my Lord Chancelars packet forces myne to accumpanie it with fuch haift, as I can not wryte farder in your particulars, whill I find your ladyes laifer to confer of thame. Till then and euer I commit yow to God. Edinburgh, 26 Auguft [1613?]

Your obleifed and faithfull freind at power,

Sr. Th. Hamilton.

To the right wourfchipfull John
Murray of Lochmaben, one of
his Maiefties Bedchamber, at
Court.

LXXX.—LORD BINNING TO KING JAMES VI.

Most Sacred Souerane,

Your maiefties counfall having met this day, wer onlie bufied in decifion of complaints of fmall moment betuix pairties, no mater having occurred to trouble your maieftie, bot ane fupplication of John Gordon of Lentufh, fum tyme fchiref depute of Aberdene, who, for obedience of your maiefties decreit arbitrall, betuix the Marquis of Huntlie and Erle of Erroll, having entered prifoner in the caftell of Edinburgh the firft of this moneth, hes defyred to be fred be the counfall, offering to act him felf, vnder the payne of ten thowfand merkis, to keip waird in the towne whill he be fred be your maiefties warrand. The counfall,

confidering that he wes wairded vpoun your maieſties owne decreit, wald not prefume to grant him any farder fauour, bot that thay directed me to fignifie the effect of his fupplication to your maieftie, humblie defyring to know your maieſties gude pleafour, which in that and all vther your royall commandements, thay will with all fubmiffe fidelitie obey. So, wifhing to your maieftie moft perfect and permanent felicitie, I reft

Your moft facred Maieſties moft humble
and faithfull fubiect and feruant,

BINNING.

Edinburgh, 22 October [1613?]

To the Kingis moft facred Maieftie.

LXXXI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST GRATIOUS SOUERANE,

WE haif bene this day in handis with the commiffionaris of the burrowis, anent that mater of the affife hering of the North Yllis, craued be the Duke of Lennox, conforme to your maiefteis patent figned in his fauouris, and the Laird of Bogye, and Maifter Johnne Browne, commiffionaris and agentis for the duke, hes bene at lenth hard thairupoun; in whiche poynte, infofar as the fame concernit the fifhearis and tradaris on this fyde of Buchane Nefs, the dukis commiffionaris did nowayes contrauert with the burrowis, bot did acquiefce and allow of that decreit and fentence gevin in thair fauouris, fome two yeiris ago, when as this fame bufynes wes follicited be one Capteyne Mafoun, Englifhman: By the whilk decreit and fentence it wes fundin be your maiefteis counfell, that no fuche affife dewitie could be craued of the burrowis, becaus thair ontred for the Northe fifheing wes of the nature of ane maircheant voyage, fubiect to the lyke hafaerd, trouble, chargeis, and inconftancie, as ony foreyne ontred, and thair wes neuer ony affife dewytie craued of thame

at ony tyme heirtofoir. And whereas thair wes a verie grite decay of all tradis and handling in this kingdome, and this trade of the fiſheing, whilk is only followit oute by a nomber of ſea fairing men, being lykewayes liklie to be caſſin vp, to the vtter vndoing and beggering of diuers of your maieſteis poore people, yf the ſaid dewytie had bene exactit of thame, it wes thoght meete to encourage thame to profequute and follow oute that trade, bothe for the weele of the cuntrey, advancement of your maieſteis cuſtoumes, furthering the homebringing of bulyeoun, and halding of thir poore people (who otherwayes wald miſerablie periſhe) at worke. Thair reſted onlie twa pointis, whilkis wer earniſtlie ſollicited be the dukis agentis: the firſt, that thay might haif warrand for vplifting of this dewitie frome ſtrangearis; and nixt, that thay might haif it frome the inhabitantis of Orknay and Yetland, and other cuntrey people thairaboute, who, as wes alledgeit, had no reaſoun to clame ony ſuche fredome or immvnitie from this aſſiſe dewytie, becaus thay followit thair fiſheing with als grite facilitie and eaſe, and with als litill haſaird, perrell, chargeis, or expenſſes, as theſe at Dunbar and the Weſt ſeas. To the whilk pointe it wes anſuerit be the burrowis, that thir people wer onlie thair feruandis and fiſhearis, haveing no ontred nor ſtoike of thair awne, bot ſerved thame for wageis; and farder, that thair hering wer all maid, ſaltit, and barrellit vpoun the ſea, and verie few or nane of thame broght freſhe and greene to land; and that no aſſiſe aucht to be craved of ony hering, bot of ſuche as ar broght freſhe and greene to land. This point being at lenth reaſouned and debaitit amongs ws, it wes fundin, by vniforme voices and conſent, without ony kynd of contradictioun, that the aſſiſe dewytie aucht onlie to be payit for the hering broght freſhe and greene to land, and that the hering whilkis ar maid, ſaltit, and barrellit vpoun the ſea, and maid reddye for the tranſporte, hes nevir bene in vſe to pay ony dewytie. And anent the laſt poynte, tuitcheing the dewitie craued to be payit be ſtrangearis, we wer loathe to mell thairin, becaus thair is ſome ſtrangearis, eſpeciallie theſe of Holland, who doeth acclame libertie and preuilege by your maieſteis patent grantit in thair fauouris, to fiſhe in your maieſteis watteris, whilk preuilege we wilbe loathe to bring in queſtion without your maieſteis allowance. Bot ſeeing the conditioun and tennour of that patent

is obſcure and vnknowne vnto ws, and no recorde thairof being in your maieſteis Regiſter, oure ſimple opinioun to your maieſtie is, that your maieſtie wald caus your ambaſſadour, reſident with the eſteatis, craue ane autentic copye of that patent, and that the ſame may be ſend heir, to the effect that, after inſpectioun and conſideratioun thairof, it may be known how far your maieſtie may go with thame in that mater. This being the effect of oure procedingis in this buſynes, we do humelie preſent the ſame to your maieſteis princelie conſideratioun, nowayes doubting bot your maieſtie, oute of your accuſtomat fauourable regaird towardis the weele of youre goode people, and furthering of thair trade and trafficque, will gratiouſlie accept of this oure concluſioun: and ſo, with oure earniſt prayers vnto God, for the lang continewance of your maieſteis bliſſed and happie reigne ouer ws, we reſt

Your Maieſteis moſt humble and obedyent
ſubiectis and ſeruitouris,

Al. Cancells.	Jo. Prestoun.
Binning.	R. Cokburne.
A. Carre.	P. Oliphant.
A. Drummond.	G. Murray.
Alexr. Hay.	

Edinburgh, 17th May 1614.

LXXXII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Gratious Souerane,

Thair wes a petitioun gevin in this day to your maieſteis counſaill in the name of Sir James M'Coneill, proporting that thir tuelff yeiris bigane he had ſuſtenit grite trouble, diſtreſſe, and miſerie, by his ſtrait impriſonment in the caſtellis of Blacknes and Edinburgh, whair he hes beene this lang tyme keept in irnis; and his deſire wes, that he might be fred and relevit of his warde, and ſufferrit to remane with his freindis in ony pairt of your maieſteis dominionis, quhill it ſould pleas God to preſent ſome occaſioun quhairby your maieſtie might imploy him in your maieſties

feruice; and he did offer cautioun for his perſonall compeirance befoir the counſell, quheneuir he ſould be chargeit, and for his not repairing to Kintyre nor Yla without your maieſteis licence, vnder ſuche foumes as ſould be inioyned vnto him. His petitioun being hard and conſidderit be ws, and we remembering that thair wes a decreit and ſentence of forfaltour ſtanding aganis the ſaid Sir James, for certane crymes of treaſoun committit be him, quhairof he wes convict in iudgement, and knoweing of no fauour, grace, nor pardoun as yitt ſhowne be your maieſtie to him, we wer thairfoir ſpairing to grant the deſyre of his petitioun, quhill firſt we vndirſtoode your maieſteis gratious will and pleaſour thairanent; and wheneuir your maieſtie ſalbe pleaſit to gif ſignificatioun vnto ws, what your maieſtie will haif to be done in that mater, we ſall in all reuerence conforme our ſelffis thairunto; and ſo, praying God to bliſſe your maieſtie with a long and happie reigne, we reſt

Your Maieſteis moſt humble and obedyent
ſubiectis and ſeruitouris,

Al. Cancells.	Jo. Prestoun.
Binning.	Kilsayth.
A. Drummond.	P. Oliphant.
G. Murray.	Alexr. Hay.

Edinburgh, 2 Junij 1614.

To the King his moſt facred and excellent Maieſtie.

LXXXIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Gratious Souerane,

Haveing reſſauit commandment frome your facred maieſtie to call befoir ws, Williame Creichtoun of Ryhill, and the bas ſone of the laite Lord Sanquhair, and to will thame to mak choiſe of ſome freindis, at whoſe ſentence thay wald abyde, tuitcheing the ſatiffactioun to be maid to the ſaid bas ſone, for all right, title, and intereſſe, that he may acclame to the lordſchip and leving of Sanquhair; we accordinglie ſend for thame, and thay gaif thair compeirance befoir ws, this ſevint of Junij inſtant:

the faid Williame accompanyed with fome baronis and gentilmen of his kin and frendfhip, and the other accompanyit onlie with young Drumlangrig and Andro Ker, vncle to the Erll of Lotheane. And we haveing at lenthe fignifeit vnto thame, how that your maieftie, in the excellencie of your iudgement, had moft iuditiouflie, prudentlie, and wyfelie gevin your decreit and fentence in that queftioun, contrauertit betwix thame, concerning the right of the lordfhip of Sanquhair, and that your maieftie, by the fame fentence, was gratiouflie pleifit to ordane ane honnorable fatiffactioun to be maid to the faid bafe fone at the fight of freindis, for his right to the faid lordfhip; we thairfoir delt and trauellit with thame that thay wald nominat fome perfonis, to whofe iudgement thay wald ftand in this mater. The faid Williame, with all reuerence, acknowlegeing your maiefteis directioun in that point, declairit that he wes willing for his parte, to fubmitt and prefentlie to nominat his freindis, bot the other pretending ane excufe of his minoritie, and the abfence of twa of his principall curatours, towit, the Lordes of Roxburgh and Bugcleugh, without whofe prefence and advife, he could do no thing in this mater, importing him fo heichlie in his eftate and fortoun: he thairfoir refuifit to mak onie nominatioun of freindis, bot wald referue that mater till a more convenient tyme, that he might be affifted with the prefence, counfell, and opinioun of his curatouris and freindis; and we finding him refolued and fetled vpoun this poynte, fo that we could go no forder in that mater, we demittit thame till we vndirftand forder of your maiefteis will and pleafour heiranent. And fo, humelie praying God to bliffe your maieftie with a lang and happie reigne, we reft

Your Maiefties moft humble and obedient
fubiectis and feruitouris,

AL. CANCELLS. JO. PRESTOUN.
BINNING. P. OLIPHANT.

Edinburgh, 7 Junij 1614.

To the King his moft facred and excellent
Maieftie.

LXXXIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Gratious Souerane,

We being this day at ane meiting and conference with the Archebifchop of St Androis and the Commiffaris of Edinburgh, anent that actioun and caus recommendit be your maieftie to ws, concerning Johne Monypenny and Thomas Creichtonn. After that we had putt that mater to ane poynte, the archebifchop declairit vnto ws, that thair is fome actionis concerning the priuilegeis of the archebifchoprik of St Androis, depending betuix your maiefteis Advocat and him befoir the Seffioun, whairin, althoght he prefometh to haif law and reafoun on his fyde, yitt in regaird of the exceiding grite fauouris, whilkis fra tyme he hes reffauit of your maieftie, in preferring and advanceing him to that eftate, honnour, and dignitie, whiche he now inioyeth, he is fo far tyed and bundin to your maieftie, in moft humble dewyteis of devotioun and affection, that he can not prefome to be hard in iudgement, nor to enter in termes of conteftatioun with your maieftie: And whereas fome few yeiris ago he had freelie, in face of parliament, fubmittit vnto your maiefteis felf thir materis contrauertit, with this prouifo, that afoir ony thing wer decernit thairin, your maieftie fould firft heir him felff, he is content (yf fo be your maiefteis pleafour) to ftand to that fubmiffioun. But becaus the fame is limitat and conditionall, importing a neceffitie that bothe he and your maiefteis Aduocat be hard to pleade that mater in your maiefteis prefence, whilk hardlie can be done, in refpect of mony your maiefteis moft important and princelie affairis and adois, whilkis will not admitt tyme nor lafer to attend this bufynes, he is willing to fubmitt him felf to ony whome it fall pleis your maieftie to delegat and nominat, (the Thefaurair and Ad-

uocat, who, in refpect of your maiefteis intereffe as his pairtyis, onlie except.) We haueing at lenth hard him heirupoun, and finding by his difcourfeis, that he is moft vnwilling and loathe to be a contradictor in iudgement vnto your maieftie in this poynte, we haif thoght meete, that the actionis hinc inde concerning this mater fall reft and fleip, till we vndirftand your maiefties will and pleafour heiranent, and whateuir it fall pleis your maieftie to direct and command we fall accordinglie follow oute and obey. For yf your maieftie fall not be pleafit to allow of this delegatioun, the archebifhop wilbe conftraned againis his will to abyde the courfe of your maiefteis lawis in thefe materis. And fo, with our hairty prayeris vnto God, recommending your maieftie and your royall progenie to his divyne protectioun, we reft

Your Maiefteis moft humble and obedient
fubiectis and feruitouris,

Al. Cancell[s].
Binning.
Jo. Prestoun.
P. Oliphant.

Edinburgh, 7 Junij 1614.

To the Kingis moft facred and excellent
Maieftie.

LXXXV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Gratious Souerane,

Haueing reffaued your maiefteis lettre, wherby we ar willed to pervfe the Erll of Murray his rightes to the cuftomes of the riueris of Spaye and Findoun, and to confider how fer thay will cary him, and gif

by thame he may juſtlie challenge any intereſt in theſe new cuſtomes alſwele as of the olde, and to certifie your maieſtie of oure opinioun in that mater. We thairvpoun ſent for the ſaid Erll of Murray, being in the north pairtis of this kingdome for the tyme, and haueing conferrit with him heiranent, and finding no more aſſuired way to acquaynte your maieſtie fullie of the ſaid erllis rightis, and how far thay wer to ſubſiſte in law for ſuſteyning his challange of the whole cuſtomes of theſe wateris, then by a deciſioun in law to haif bene broght in before the competent judge, whiche courſe appeirandlie is noway diſlyiked by the erll, as halding him ſelf ſufficientlie ſecured both by infeftmentis and ſpeciall actis of parliament maid in his fauours; wheras, in oure judgementis, becaus the mater it ſelff may be contrauerted, and the event of the proces is vncertane, and gif the ſaid erll ſould haif the mater decydit in his favours, without queſtioun he wald be the more hard to be dealt with in the poynte of his ſatiffactioun for theſe cuſtomes: In all humilitie we thairfore offer to your maieſtie oure privat adviſes, that rather the particulair conditioun of twenty foure thowſand merkis (wherypoun the ſaid erll wes contented to renunce his right to the ſaidis cuſtomes) ſould be yitt performed vnto him, then to committ the mater it ſelff to the hazarde of ane vncertane deciſioun, whiche going in the erllis fauours, may mak a double price of the bargane at leaſt: And entreating your maieſteis pardoun for ony thing that is amiſs heirin, and being maiſt willing to do whateuir ſalbe directed, we kiſs your ſacred hand, and we do reſt

Your Maieſteis moſt humeble and obedient
ſubiectis and ſeruitouris,

Al. Cancells.	Jo. Prestoun.
Binning.	G. Murray.
P. Oliphant.	Alexr. Hay.

Edinburgh, the ſevint daye of Julij, 1614.

To the King his moſt ſacred and excellent
Maieſtie.

LXXXVI.—LORD BINNING TO JOHN MURRAY.

Sir,

I ressaued your letter from James Hamilton and Sir Gedeon, and I have travelled with William Dick, who hes confented to furneis ellevin thoufand merkis vpon oure band, that yow fall caufe pay it to John Jouffie, within twell dayes efter oure reffet of the money; for I have onlie diffyred that we may have fex dayes to caufe the packet rin, and fex dayes thairefter to caufe yow pay the money thair. Sir, I think that feruice fall be fure, and thairfore I pray yow caufe provyde the money thair to be reddelie payed vpon oure aduerteifment. William hes tane the end of the nixt oulk to provyde the money; bot if he can get it the morine, or any vther day before the end of the oulk, I fall with haift wryte a packet to yow. I feir the money of your rentis fall not be fo fone reddie, beeaufe it is cum flowlie in, be the pouertie of the tenentis, and be mifluk. John Carfane hes brokin his leg be ane fall of his horfe, yet he hes writtin that he fall fend his fone heir, with all the money he hes, with diligence. James Hamilton will wryte to yow of John Murrayes anfueir, who is vnwilling to quyte your furetie and reffaue my Lord Sanquhars; bot when my lord cumes heir, we fall follow furth that expedient which I proponed to James Hamilton. For Lochinvars money we can fay no thing of it till his owne cumming, and then yow fall know how that pourpofe goes. Yow will find it ane calumnie which has bene reported to yow of Sir Gedeons fpeach concerning Robert Ellot, for he hes affured me vpon his confcience, that it is ane fals inuention, and I can affure yow that it is vnliklie, that ane honeft and wyfe man, as he is knowne to be, wald have uttered fo impertinent fpeaches; for if all had bene trew that wes reported of Robert, his greateft vnfreindis could not have drawne him in any greater inconvenient, nor the payment of ane meane fynne, which Sir Gedeon wald never have intended agains him, for the refpect

he bure to him for your caufe: Befyde, that the buffines which might haue broght him in fufpicion of vnkyndnes aganis Robert, is fetled be Sir Gedeon, with Roberts owne confent; lyke as James Hamilton, who fpak with Robert in his returne, hard no thing of him concerning Sir Gedeon, bot kyndnes and contentment.

Your bailyie of Linclouden hes fpokin with Sir Gedeon concerning fum golde fund in ane hurde, vpon land belonging to ane fewer within your regalitie, and wald acclame it as dew to yow. It is expedient for difcharge of Sir Gedeons dewtie in his office, that it be exactlie tryed, and that no pairt of it be concealed be the findars. He refolues, if it can be tryed to apperteane to yow, to mak it als proffitable be difcouerie as may be; and if it be not yours, bot his maiefties, and it be wourth the feiking, to aduerteis yow that yow may fute it of his maieftie and have it; and if it prove vnworthie to be foght, that it may cum to his office, according to his dewtie. As for the pryce of your office, efter my Lord of Glafgos returne, we fall confer with him, and advyfe vpon the beft meanes to giue yow contentment. So, wifhing yow all happines, I reft

Your moft affectionat freind at command,

Binning.

Edinburgh, 2 Junij [1614?]

To the right wourfchipfull John Murray of Lochmaben, one of his Maiefties Bedchamber, at Court.

LXXXVII.—LORD BINNING TO JOHN MURRAY.

SIR,

I RESSAUED from yow one letter, be the archbiſhop of Glaſgow, anent your turnes concerning the Chapell Royall and the biſchop of Galloway; and ane vther from Archibald Campbell, anent the particulars which he vndertuke. For theſe I can anſuer no farder, bot that he and theſe whom the buſines concernes, ſall be tymelie remembred of thair promeis, and preaſſed to performe thair dewtie, if thair turnes ſucceid; whairof I ſtand in great dowt.

I wrait to yow that the biſchop of Galloway had promeiſed, verie freindlie, to ſettle your teynds. Kirkonell, who did ſolicite that buſines, having ended your affaires with Barnbarroch and Drummorell, is now gone to the cuntrie for your affaires and his owne.

Your affaires with Lochinvar delayes, till his cuming bak to the towne, and bringing of his evidents to your man of law, of the lands whairof yow ſould have right from him. The gentilman whoes conſent is neceſſar in that ſecuritie will not be heir, whill anſueir cum from court in the mater concerning him, which wes expected before this tyme; and the longer delay of it may be imputed to me, albeit the help lyes not in my hand till it cum from aboue. Thairfore, if that mater be not alreddie diſpatched, I pray yow further the anſueir, ſuch as his maieſtie ſall be pleaſed to grant.

The reſt of your affaires will be maid knowne to yow be letters from James Hamilton and vther freinds, to which I refer me; and, comitting yow to Gods mercifull protection, I reſt

Your moſt affectionat and bund freind,

BINNING.

Edinburgh, 8 July [1614?]

We expect that the bifchop of Galloway fall this afternone expeid the takkis of your teindis for ane lyfrent, and nyntene yeiris thairefter. And becaus he hes obteaned Broughtons infeftments of the owteinds decerned to mak no faith for non production, which we knew not before, he is willing to renew your furetie thairof. It is fit, that, be your letter of thankis, you tak notice of his kyndnes, for we find him verie hairtlie and reddie.

To the right wourfcipfull John Murray of Lochmaben, one of his Maiefties Bedchamber, at Court.

LXXXVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Gratious Souerane,

Haveing reffauit your maiefteis anfuer to oure formair lettre fend vp to your maieftie, in that particulair concerning Frances Stewart, fone to the lait erll Bothuell, togidder with the fignatour whiche wes formed and drawne vp be ws in his fauour; by the whiche anfwer your maieftie wes pleafit to will ws, to commvnicat that fignatour to the erll of Home and lord of Roxburgh, and thair procuratouris, to the effect that thair obiectionis (yf ony thay had to propone aganis the fame) myght be returnit vnto your maieftie, we accordinglie delyuerit the fignatour vnto thame, who, haveing at lenthe advifit with thair procuratouris, vpoun the tennour and conditioun thairof, thay haif fett doun in write thair obiectionis aganis the fame, and hes caufit forme ane new fignatour, whiche thay ar content falbe exped to the faid Frances. Quhilkis obiectionis, with the twa fignatouris foirfaidis, we haif heirwith fend vp to your maieftie, to the effect your maieftie, after dew confideratioun of the fame,

may allow or diſproue the ane or vther thairof; and what ſalbe your maieſteis will to command ws in that mater, we ſall accordinglie obey. And ſo, praying God to bliſſe your maieſtie with a lang and happie reigne, we reſt

Your Maieſteis moſt humble and obedyent
ſubiectis and ſeruitouris,

AL. CANCELLS.
BINNING.
W. OLIPHANT.

Edinburgh, 22 July 1614.

To the King his moſt ſacred and
excellent Maieſtie.

LXXXIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

PLEIS YOUR MOST EXCELLENT MAIESTIE,

VPOUN the biſchope of Orknay his lait returne back out of the boundis of his diocie, whair particular tryell had bene takin by him, of the trew valew and eſteat of theſe landis wiche wer aſſigned and deſtinat to him, for the patrimonie of the biſchoprick, it is now by [him] reported that the rent of theſe landis dothe not ſurpaſe, in yeirlie worth, the ſume of eight thowſand markis, ouer and beſydes the gerſſumes, whilk euerie thrid yeir being valowed to xiiij^c or xv^c li. by diviſioun thairof, will augment the proportioun aſſigned in ſum four or fyve hundreth pundis a yeir. And becaus the ſpedye courſe and ordour taking for the biſchopes ſetling in theſe boundis, wilbe no ſmall help of the ſecuiring of your maieſties peace and obedience, and that the difference of computatioun betuix the biſ-

chope, and your maieſties theſawrer deputie, proceideth vpoun accompting vp of the pryces of pultrie and peitis, and of the money reſſaived frome fiſchear boatis, for grund leif, and ſum vther few particular articles not muche to be regairdeit, except in that mater of the gerſwmes valewed at iiij^{c} or v^{c}li. a yeir; in wiche diuerſitie of accomptes, by the biſchopes vnder valewing the rent of theſe landis, as being verye ewill payment, and by the theſawreris deputie his moſt ſtrict, dewtifull, and exact tryell takin in the other pairt, for preventing of your maieſties preiudice in not omitting any thing vncompted, we hold the gerſumes to be the cheif materiall poynt contraverted betuix thame; whairin your maieſties awin pleiſſour and determinatioun is bothe deſyred and expected, in regairde the ſpedye returne theirof, wilbe a redye mean to furder your maieſties ſervice, in theſe boundis. We theirfore humble intreate your maieſtie to certefie your gratious pleiſſour, whither the aforſaid aſſignatioun of landis, appoynted to be mortefied for a patrimonie to the faid biſchoprick, ſalbe condiſcendit vnto, notwithſtanding, that in the computatioun of the yeirlie rent of the ſame, theſe gerſumes are not comprehendit, and alſo no reſpect had to the pryces of peittis and pultrie, or the dewtie for the ground leive; or gif a proportionabill defalcation ſalbe takin of ſo many landis, furthe of that aſſignatioun, as may countervaill the yeirlie eſtimat worthe of theſe gerſwmes; and, expecting your maieſties gratious and ſpedye anſwer, efter humble kiſſing your facred hand, and prayer to God for your hienes preſervatioun, we reſt

Your Maieſties moſt humble, dewtiefull, and
faithfull ſubiectis and ſeruitours,

Al. Cancell^{s}. Jo. Prestoun.
Binning. W. Oliphant.
Alex^{r}. Hay.

Edinburgh, the xxvij July 1614.

To the King his moſt facred and
excellent Maieſtie.

XC.—EARL OF CAITHNESS TO LORD BINNING.

Right Honorabill my verie Goode Lord,

Pleis your lordſchip, we arryved at Caſtell Sincleir vpoun the 22 of this inſtant, whair I ſtayit that night, and aduerteiſed the Caithnes men to be reddie to follow me to Orknay when I ſuld command theme. I embarked with me about threttie of theme, and cam to Selwik within tuo myles to Kirkwall, vpoun the 23 about ſex eftir nvne.

The 24, I ſent the herald with notouris meſſingeris and witneſſes, to mak proclamatione at Kirkwall, who wes preſentlie taikin as he entered the towne, moſt iniurioufliе and diſpytfullie abuſed, bothe in word and deid, the lettres taikin frome him be Robert, and himſelf, with ane miniſter, and all otheris that accumpanyed him, keipit in diuerſe houſes all that day till the evening: To whiche they the ſame day did ad this alſo, that to the number of thrie hundreth men with diſplayed enſigne, did ſort out of the towne, and maid prouatione to me whair I lay vpoun the ſhipbord for that day. The proclamationis thus impedit, I wes forced, vpoun the 25, to wreitt diuerſe lettres, and ſend throuche the cuntrey, to aduerteis and command the gentlemen and vtheris to reſort to me; in whome, for the moſt pairt, I did not find that reddie willingnes whiche I expected, ſo that I wes forcit to ſend to Caithnes for ſupplie of my owne men; who cuming to me vpoun the 26, and having then aſſembled about two hundreth of the cuntrey men, we tuik land, and at the ſame time about ten houris we landit the battering piece with hir careage, whiche by great force of men, and ſome difficulties throuche the deipnes of the ſoyll, wes preſentlie, and with all poſſibill diligence, drawin neir tuo myles towardis the towne. And the ſame day, about thrie afternvne, planted at Weyland, within ane half quarter of myle to the caſtell. We merched in goode ordour, with colouris diſplayed; and as we approched, the rebellis ſorted out, boaſting that they wold fight with ws, thought we had bein

tuentie to one; and having their ordinance in reddines to haue played vpoun ws, from the caſtell ſtepill and tour of the Yeards, and diſchairgeing one or tuo of the ſame againſt ws, ſo ſoone as we cam vnder their ſight, I commandit the cannoneris to ſhute at the caſtell, who did their pairt ſo weill, that be ſecund ſhott, one of the turrettis vpoun the heade of the houſe wes pearſed and almoſt beatein doun, to the great terrour of the traitouris; and other thrie being ſhott one aftir another, did all hit, bot not hurt ſo muche.

In the meantyme, the rebellis being provoking, and braking ws vpoun the ball ley, to the number of ſex ſcoir men: our captanes and ſoldiouris went directlie and with goode courage towards theme, and without ony reſiſtence or hurt, did compell theme to retreat ſhamefullie; in whiche flight, about fyve of preſſed poore men of the cuntrey did abandon theme.

The captanes, ſouldiouris, and gentlemen of the cuntrey, with thair men, did preſently follow theme at their heillis, entered the towne the ſame night about ſex houris, incloſed theme in their holdis, and now poſſeſſes the towne. That night I ludged about the ordinance, and gairdit it and our ſelffis with the reſt of our men.

This day we ar buſie about the landing of the great peice of ordinance, that we may batter bothe the caſtell and the other houſes whiche annoyes ws and our men in the towne, and mak our ſeruice the ſchorter.

The rebellis ar moſt obſtinate, and malicioufliе reſolued to holde out to the death, thought I haue ſent miniſters and other owne freindis to inſtruct, admonis, and threatin theme.

Thair is heir no bread nor drink, nor vther victuallis to be had for pryce, prayer, or command, ſo that I muſt ather ſeik preſent releif of ſome victuall from Caithnes, or ſuffer the ſouldiouris to ſtarve for want.

And yf they ſall endure and continow in their obſtinacie, as they haue wowed to do, their will not be pouder, leid billettis, nor matche, to ſerue for this ſeruice; in the whiche I ſie great dangeris, and manie more difficulties then I culd foreſie. In reſpect whairof, I will intreat your goode lordſchip, to acquent my lord theſaurer and remanent counſellouris, and with all cair and diligence prouyd betyme, that money, pouder, pillettis,

and cheiflie fome reafonabill quantitie of victuall, whiche can not be had heir, may be fent to be difpenfed and fold to the fouldiouris and vtheris that haue neid, vpon reafonabill pryces; whairby our great neceffities may be fupplied, with litle or no hurt to his maiefties money.

As things fallis out, fo fall your lordfchip be aduerteifed from tyme to tyme: And now, after the trew narratione of our proceidings, and prefent eftait, I refer the confidderatione and care of all to your lordfchipes wifdome, and fall euer reft

Your lordfchipes awin, euer to be commanded,

CAITHNES.

To the right honorabill my verie goode Lord, my Lord of Binning, his Maiefties Secretare of Scotland.

Indorfed—" Earl of Caithnes to the Lord Binning, 25th Aug. 1614."

XCI.—THE BISHOP OF ORKNEY TO LORD BINNING.

RIGHT HONORABILL MY VERRIE SPECIALL GOOD LORD,

PLEAS your lordfchipe, we haue tryed heir greatar contempte and obftinacie in the rebelleis, les truft and willing obedience in the people, then we could forefie or did expect. The difficulties quhiche we encounter withe ar many, and gif God doe not fubdue the pryde of the villanous knaves, there is great appeirance of muche blood fchadding before the houfs and halds can be takin.

My Lord Erle of Caithnes is notwithſtanding full of curage and conſtant reſolutioune never to geive ouer vntill it fall pleas God to giue ſuche victorie as may giue his maieſtie, and your lordſchipes of his maieſties priuie counſell, contentment.

His lordſchipe ſpaires nothing quhich may ſerue to that effect, and is this day, for helpe of our preſente wante of victuall, ſending to Caithnes for ſupplie. He himſelfe, and all of ws, leiues lyk ſouldiours, withe verrie temperat dyet; out in the daye and nicht, lying aboute dykes, or within houſſis no better then croſſes; and now inbring oure ſelues to all militarie hardnes for futur ſeruice.

Ratter, May, and his lordſchipes freinds and ſeruands, ar in no better cace then his lordſchipes ſelfe, and exceedinglie weill affectit to do and ſuffer all things for the happie end of this ſeruice; for quhiche caus, I will beſeiche your good lordſchippe eſpeciallie, and by the ſame letter my Lord Theſaurar alſo, quhois cair and diligence did cheiflie appeare in our directioune hither, to incourage and furder this noble man, quho hes willed rather to be buried in his grandfires graue, wharewithe he is daylie threatned heir, then to foreſaik this ſeruice, or omitt ony pairte of that loyall dewtie, quhiche he ow to his maieſtie.

As for my ſelf and my buſines and ſetling, I will bot put your lordſchip in mynd thareof, and rely conſtantlie vpoune that goodwill, quhiche your lordſchip hathe euir profeſſed to me, and I do with muche confidence perſwad my ſelfe of, thoght I haue not, nor can nocht, deſerue ane drame weght thareof.

We haue not ſo muche ink almoſt, nor cannot haue it yitt frome the toune, as to wryte thir too or thrie letters; bot knawing that your lordſchip will imparte to him, and to thoſe, quhome your lordſchipe pleaſes, all quhich my lord hes writtin particularlie, I muſt craue pardone for this omiſſioune; and wiſching frome [God] all grace, peace, and proſperitie to your lordſchip, and good ſucces to thir Orkney warres, evir reſts

Your Lordſchipes aſſured in all dewtie to ſerue yow.

Weyland, the 27 of Auguſt 1614.

As I was ending this wreet, my lord himſelf hes begunne this dayes play againe, and hes hitt the caſtell with ane ſchotte.

To the right honourable his verrie
good Lord my Lord of Binning,
his Maieſties Secretarie of Scote-
land.

Not ſigned, but indorſed "Biſhop of Orknay to the Secretary."

XCII.—THE EARL OF CAITHNESS TO LORD BINNING.

Ryght Honourabill my verrie Good Lord,

Vpoune the 28 of Auguſt, we marched with the battering peace frome Weyland to Newbigging, quhiche is within ane muſcatt ſchott to the Yairds: Vpoune the 29, we planted our batterie againſt the new wark of the ſaid place, and ane toure thairof, callit the Chappell tour, from quhence they ſend ws many ſchottes; and all that day, till twelue of the clok, played againſt thame, with the ſaid batterie, and muſcaters plantit aboute the dyks of the gairdine, and in ſum neireſt houſſis, within the toune, without ony blood, except that Robert his mother, ſtanding with himſelf in ane chamber, was ſchotte throughe the hand, and ane boy of thaires thruch the thighes.

The ſame day, efternone, perceaving that we could noy thame much, with the ſchottes of the batterie, we went with all diligence and landit the canoune, and, by number and force of men, brocht hir almoſt four myles, for the moſt pairt, vnder the ſight of the caſtell, and, the ſame night, planted hir againſt the new wark of the Yairds, of purpoſe to beat doune the great windous of the ſame, and then to enter by ledders, quhich wer prepaired.

Vpoune the 30, Robert, knawing and perceauing that he was not able to

defend and keip that place, was mouit, be interceſſioune of ſum gentlemen vpone ſuite, to come and talk with ws, who, when he offered to giue ouer the houſſis, if he could be aſſured of pardone, and preſeruatioune of his awin lyffe, and his ſouldiers, the conditioune was refuiſit, and it was expreſlie declared to him, that he behouit ather ſimplie to render himſelf to his maieſties clemencie, or ſuffer the worſt. So he was dimittit to advyſe and reſolue, till the nixt day.

Vpoune the threttie ane, efter much talking too and froe, by the interceſſoures, the hous was ſo ſpoiled be him and his ſouldieres, that thare was not aboue thrie or four lockes left vpoun dorres, in all the place; and then, thay depairting to the caſtell, we entered withoute danger or truble, about thrie efternone, "et nunc vacua regnamus in aula."

The ſame day, the kirk and ſtiple, thar ſtrongeſt hauld, was delyuered eſpeciallie be ane Johne Guld, the gildeſt knaue of all other, vpoune conditioune maid to him of pardone, and preſeruatioune of his lyffe, for that cryme; for we could haue no angle, in all the place of the Yairds, frie from danger of the ſchottes frome the ſtiple; and we thocht it muche better to get it vpoune that conditioune, than to beat it and the kirk doune, with muche travell, coiſt, and danger.

The 1, 2, 3, and 4 of September, wer ſpent in dealing with Robert and Patrik Halcro, capitane of the caſtell; the reſt of the ſouldiours, inclofed now in the caſtell, wer contentit to render thameſelues, to be tryed, and be judged heir, or befoir your lordſhips of the counſell; bot thay ar keipit in, and cannot eſcape. The ſaid Patrik Halcro hes offered, be his brother and freinds, to put himſelfe in my hands, to be diſpoſed vpoune at my pleaſour, if pardone wer grantit to Robert. Bot Robert himſelf is ſo affrayed, that he will rather ſuffer all that may befall him, thene render himſelf, withoute promeis and band for his lyffe; ſo the cannones being plantit, and gabioumes ſett at the eiſtend of the kirkyaird, eight aganiſt the broad ſyd of the caſtell, and within ane pair and halfe pair thareof; the truce was diſcharged yiſternicht, and ſevin houres the caſtell beliggered, in all pairtes, with muſcatieres within houſſis, the ſtiple furniſſed with ſextein men, to play vpoune the plateforme of the caſtell, quhar thar ordinance lyes.

Thay begane the fame nicht on both fydes, and ſkirmifched till morning, in quhiche one poor man in the toune, being bufied aboute the filling of ane emptie gabioune, was fchotte frome the caftell, thruche the left fyd, and this day died.

Monunday, the firft of this inftante, in the morning, evin at the wryting heirof, we caufit bothe the peicis be difcharged vpoune the battlement of the caftell, quhich haue perced the fame; and, by Gods grace, we fall this day beat it doune, and difmunt thair ordinance.

As we wer buffie, the days preceding, to gett the caftell by intreatie; fo, leaft nothing fould be done vpoune thame, we fent to Birfay, the Laird of Stenhous, with ane fufficient number, quho took it the 2 of this inftante, the fame nicht he cam to it; and keips thair as yit, himfelf and the men that wer in it, priffoners.

Thare is dyvers perfones, of thefe that wer in the ftiple and Yairds, quho haue rendred thamefelfs to be tryed and judged be me heir, or as your lordfhips of the counfell fall appointe; in quhiche mater I crave your lordfhips advyfe and determinatioune, quhat falbe done with thame.

The caftell is verrie ftrong in the wales and vaultes, and the cannone cannot harme it, except in beating doune the head and turnepike thareof; for quhich caus, giue thay continew in thair obftinacie, as thay haue fworne to doe, thar muft be great prouifioune of victuall, powder, and bullett; for thar is no victuall to be had heir for money; and if we be not releuid heir with all poffible hafte, the fouldiers, and other gentlemen, muft ather fterue for wante, or els be enforced to tak be violence from the poore cuntrie men, quherby great truble and dainger may aryfe.

Your lordfhip, alfo, wald provyd that the fouldiers may haue thar nixt moneths pay, quhich begins to morne, the 6 of this inftante; for as thair is litle to be had heir for payment, fo thar is nothing without reddie money.

In caice the caftell, efter it be beatin in all pairtes affaultable, hold out, your lordfhip wald be pleafit to advyfe and refolue ws, quhither we fall infifte aganfte thame, with all the violence we may, or by making conditioune of pardone to Robert, and the captane, reffaue it be delyverie. Thair be many reafones for the laft. The tempeftowous feafoune, the

harveſt, the penury of all neceſſaries, and wearines of all ſorte of men, the charges to be deburſed by his maieſtie, the doubtfull event, and vncerten end; and in Robert himſelf, mony things contraire, quhich micht moue his maieſtie to compaſſioune, eſpeciallie the reveling of the whole plote of this rebellioune, the preſenteing of ane band ſubſcryuit be many as we ar informed, with ane contract and diſpoſitioune of ſum lands to Patrik Halcro for vndertaking which; all will periſch, if thay periſche. Bot reſerving and ſubmitting thoſe things to your lordſhips wiſdome, and wiſching all proſperitie, and good healthe to yow, I reſt

Your Lordſhips awin, evir to be commandit,

CAITHNES.

[Datit,] Yairds, 5 September 1614.

Now thare is echt ſchottes diſcharged, and all hes pearced right aboue the vpper vaulte, and nevir one frome the caſtell; quhat thay mynd, God knawis.

To the right honourable his verrie
good lord, my lord of Binning,
his Maieſties Secretar of Scotland.

Indorſed by Lord Binning:—

"Copie of the erle of Caithnes letter to me.

"Dated 5 September 1614."

XCIII.—THE BISHOP OF ORKNEY TO LORD BINNING.

Right Honnorable my verie Goode Lord,

The difficulteis of this feruice, and grite want of all thingis neceſſarie, hes moved ws to ſend the poſt, in poſt to your lordſhip for fupplee and ſpeedie ſupport. Thair is no thing omittit, quhilk poſſiblie may be attemptit or atchiued, ſince the fyft of this inſtant, whilk wes the date of our laſt letters ſend be land: tua peeceis lyand vpoun the tope of the caſtell ar diſmounted, ane grite breatche maid vpoun that pairt of the houſe, quhair the ſtairis ſervis for aſcending and diſcending, the blok houſe beatin, ſo that thair poulder and bullett had not bene wanting. Our vther dayis playing had diſcouerit the yrine yett, and made ane way for ane aſſault. The haill poulder, except half ane barrell, is ſpent, and all the bullettis for the cannoun, except nyne, as we haif tryed the Robert Elphinſtoun and the cannonaris, for thair is beſtowit vpoun this batterie fiftie ſax ſhoit of the cannoun, and 57 of the vther, and in all fourcſcoir ſtanes of poulder. The wallis of the bodie of the houſe ar ſo thick and ſolide, that we can not think it poſſible for thir tua peeceis in lang tyme, and without mutche coiſt and danger, to prevaill aganis thame. The fouldouris wants thair pay for this moneth, and we can not haif ſo mutche as the half or ony pairt thairof, advancit be takkiſmen or chalmerlanis, thoght we haif with the ſhiref depute imployit all our requeiſtis and commandis. Thair is alſo ſuche penurie of victuall, that none can be had for meate or drink, for prayer or pryce. The rebellis ar reſſoluit obſtinatlie to indure and hald oute; and this day, becaus the cannoun played not vpoun thame, (haueing intelligence, for all that we can do, of our wantis) thay jeſted frome the caſtell in the moirning, aſking quhy our cannouns did ſleip ſo lang. Ane mercheant ſhip of Glaſgo arryveing heir frome Dantiſh or Cairſtoun, we ſend for the maiſter, and, knoweing that he had ſome poulder belonging to the merchantis, who ar not vpoun hir, to help the preſent neceſſitie, and forder his maieſties ſeruice, the erll cauſit tak foure centrellis of poulder frome hir at lxxx lib. the centrell, and hes

gevin his lordſhips band to him, that he ſalbe payit thairfoir be your lordſhip, quhen he comes to Edinburgh. The neceſſityis and wantis muſt ather be helpit with all thingis requiſite, or certanelie the ſeruice can not be broght to that end whiche is wiſhed and expectit. Yf your lordſhip pleis to aſſuir Robert and Patrik Halcrois of thair lyves, thair is no grite doubt, bot thay wald gif ouer, and the reſt rander thame ſelffis; bot yf that be not grantit, thair is no thing bot force to conſtrain thame. Thay haif ſhoit the Inglife ſmithe through the arme, beſyde the cannoun, and yiſterday haif ſhoit James Ritchieſoun, ane of the ſouldiouris, through the body. The gentilmen of the cuntrey wald be glaid to fee ane end of thir troublis, quhairby, thay and all the people reſſaues grite hinderance and damageis. The erll, his bruther, and freindis, ar mantenit heir with maill and malt, frome Caithnes, and thoght thay be reſoluit euir to perſequute the ſeruice, yitt it is verie troubleſome and expenſiue to thame, and thair lyveis in daylie dangeir. Off the grite nomber of perſonis who hes bene fauouraris, aſſiſtaris, and partakaris of this rebellioun, we haif thoght beſt to ſend ſome with thair depoſitionis and confeſſionis to your lordſhip, that thay may ather be puniſhit thair according to thair deſervingis, or the cuntrey purgeit and maid red of thame in all tyme comeing. So, aſſureing our ſelffis that your lordſhip, according to your ſo ſure diligence, will, with all haiſt, poſt bak the poſt, furniſt with money for the ſouldiouris, poulder, bullett, and victuall, as, breade, maill, malt, and beir, to be ſauld at ſome reaſounable raite; and wiſheing grace and peace frome God to your lordſhip, I reſt

Your Lordſhip in all dewtie to ſerue yow,

Ja. B. of Orcadis.

Indorſed by Lord Binning:—

"Copie of the Biſchop of Caithnes letter.

"Reſſaued 13 Sept. 1614."

XCIV.—LORD BINNING TO PATRICK HAMILTON.

Brother,

This morning John Stewart is arryued from Orknay, and hes broght in his ſchip, be direction of the Erle of Caithnes, foure of his priſoners, with thair depoſitions; whom I have re-examined this forenone, and have ſend to yow, the copies of thair depoſitions ſent from Orknay, and of my examination of thame this day; together with the copie of the letter which the Biſchop of Orknay ſent with thame. Thay ar now in the Towbuith, in the irnehouſe, becaus the chancelar and counſall will be in this towne this night. I will advyſe with thame, whether it be more fit to execute thame tomorrow, or to delay thair execution for ſum dayes, leaſt thair ſuddane death, might mak the deteanars of the Caſtell of Kirkwall, more deſperat and obſtinat.

The Erle of Caithnes, with great dexteritie, hes maid himſelf maiſter of the ſteple and howſe of the Yairds. He hes no loſſe, prayſed be God, bot of two of his men ſlayne and ane hurt. We ar perſuaded that all the prouiſions which thay requyre be thair letter, wer in Orknay before thair letter came to my handis. I have this day ſent to Leith, two hundreth bullets for the cannon and batard, and am provyding all vther neceſſars, which ſall be reddie this night and imbarked tomorrow, God willing, to the effect the ſchip may mak ſaile the morine, if God grant thame proſperous wind. This I have thoght fit to wryte to yow, to be ſignified to his maieſtie and my lord chamberlane; thinking that the copie of the biſchops letter and the priſoners depoſitions ar the beſt information I can give yow.

I pray yow recommend to his maieſtie and my lord chamberlane, the fauorable and ſpeidie expedition of the Erle of Caithnes and Biſchop of Orknayes buſines, and vſe all poſſible haiſt in the returne of his maieſties

commandements. So, in haiſt, I commit yow to God. Edinburgh, this 13 September [1614?]

Your loving brother,

BINNING.

I haue ſend for the juſtice deput and juſtice clerk, and aduerteiſed my lord chancelar, who came yeſternight to Pinkie, and will be heir this efternone.

To my beloued brother, Maiſter
Patrik Hamilton, at Court.

XCV.—THE LORDS OF PRIVY COUNCIL TO THE EARL OF CAITHNESS.

OUR VERRIE HONOURABLE GOOD LORD,

WE haue reſſaued your lordſhips ſeuerall letters of the fyfte and nynte of this monethe. The anſueir of ſo much as may concerne the prouiſioune of munitioune and victuales, is contenit in the letters ſent withe your lordſhips ſute poiſte, be ws the deputie theſaurar and ſecretar; and thairfoir, we haue thocht good be thir lynes, only to ſignifie to your lordſhip, our coniunct opinioune in the pointes of greataſt moment, quharein your lordſhip deſyres to be reſolued. Firſt, anent the ordour to be tane withe the priſſoners, being in your lordſhips powar, quhidder your lordſhipp ſall try thame in Orknay, or ſend thame heir, it appeires more fitt that your lordſhip tak ordour with thame in that cuntrie, for thare tranſporte hither, wilbe faſchious, expenſiue, longſume, and dangerous: And it is expedient, that exemplar puneiſment be vſed, quhar the rebellioune was attempted, when your lordſhip ſall think the time conue-

nient to inflict deferued puneifment vpoune the great malefactouris, vnles it wer to fend fum few to this toune, quhom your lordfhip knawis to be hable to difcouer things greatlie importeing his maieftie; and fuche of the reft, as your lordfhip thinks mor meit to be baneifed or pardoned, vpoune fuch cautioune or vther provifioun, not to returne in the cuntrie, or compeirance of fuche, as ar permitted to remaine within the cuntrie, befoir the ordinar judges, quhen thay fall be laufullie cited, we muft abfolutelie referre to your lordfhips awin honourable difcretioune.

As to your lordfhips deutte, how to proceid in the offer maid be Robert Stewarte, and Patrik Halcroe, to render vpoune conditioune of thair lyves, becaus of the difficulties quhich your lordfhip forefies in the feruice, if it be to be performed be violence and be affaulte, and that the granteing thame conditiounes, may difcouer the band maid amongs the rebelles, and the infeftement grantit to Patrik Halcro; we think that it will appeir verrie ftrange to his maieftie, if they fall now be reffaued vpoune conditioune of faifetie of thair lyffes, efter fo muche expenfis beftowit be his maieftie, and fo much travell, dainger, and coift, fufteanit be your lordfhip, in the profecutioune of his maiefties commiffioune, be powar and force, quhen as, long befoir the vndertaking of that charge, the Laird of Murchill offered to induce thame, vpoune eafie conditiounes, to render, if thay micht haue affurance of thaire lyffes: lykas, fenfyne, the Erle of Caffelles offered to caus thame render all obedience, without ony truble or expenfis to his maieftie, if he micht haue warrand to affure thaire lyues. Befyds, that his maieftie hes caufed adverteis, that he wald wifch your lordfhip to vfe the powar of your commiffioune, to geiue remiffions fpairinglie, and vpoune good confideratioune; and thairfore, we wald rather wifche your lordfchip, to affay all vther good meanis to accompleis the feruice, nor be granting remiffioune to thefe two. Bot if thay will render to your lordfhip, vpoune conditioune of faiftie, quhill his maiefties pleafour be knawin, we think thair is many reafounes quhy thay fould not difpair to find grace with his maieftie, quhois great mercie and clemencie is notour to the world, in infinit pruiffes. We think it alfo fitt, that your lordfhip effay ather be grante of pardone, or fuche other

conditioune as your lordſhip thinks meit, to withdraw from Roberte, and Patrik Halcroe, all thair affiſtantes, or ſo many of them as may be; and, if it be poſſibill, to moue thame to render the houſe, and delyuer the ſaids Robert Stewarte, and Patrik Halcroe, to your lordſhips hands; and failyeing thairof, that thay may leiue thame, and come thame ſelfis to your lordſhip, vpoune ſuche conditioune, as, with his maieſties honour, and good of his ſeruice, may be made to thame. Bot we always deſyre, that any favour to be ſchawin to any of thair compleices, be vpoune cleir prouiſioune, that thay ſall conceall nothing that ſall be inquyred of thame, concerning the deuyſe and proſecutioune of this rebellioune, ſo far as thay knaw: and if your lordſhip cane learne the aſſured treuthe tharof, be any quho cumes in your lordſhips hands, that your lordſhip may ſend the pairties and depoſitiounes heir, and thay ſall be vſed according to your lordſhips recommendatioune; and the conditiounes maid be your lordſhip to thame ſall be faithfullie obſerved. We wiſch that als many of the cheife rebelles may ſall in your lordſhip's frie powar, but conditione, as may be; bot if your lordſhip can haue the caſtell rendered to your lordſhip, and Robert, and Patrik Halcro, in your hands, to be vſed at his maieſties pleaſour, we ar perſwadit, his maieſtie will weill allow of it, any vther conditioune your lordſhip ſall mak to vthers. And quhill that be, it will be fitte that your lordſhip uſe all poſſible means to ſtraite and force thame, and all thare affiſtantes, with ſuch diligence, as the ſeaſone of the yeir, his maieſties great charges, your lordſhips trauell, truble, dainger, and expenſis, and the hazard of your lordſhips freinds and ſeruands, dois requyre. So, wiſching your lordſhip ſpeide, honourable and happie ſucces, in the performeing of your charge, and all vther your lordſhips good interpryſes, we reſt

Your lordeſhips moſt affectionat,

Al. Cancells.
Glesgow.
Binning.
Sr. G. Murray.

We have good warrand to affure your lordfhip, that both his maieftie and the counfell, eftemis worthelie of your lordfhips wyfe and curageious proceding in this feruice. Datit, Edinburgh, 15 September.

To the right honourable our verrie
good Lord, the Erle of Caithnes, his Maiefties Leuetennent in Orknay.

Indorfed by Lord Binning:

" Copie of the letter writtin to the Erle of Caithnes.
" 15 September, 1614."

XCVI.—LORD BINNING TO PATRICK HAMILTON.

Brother,

The counfals note fent heirwith will expres that the lordis have bene more empefched at this meiting with particular actions nor publict affaires. I communicat to my lord chancelar the letter which I reffaued from the Erle of Caithnes, and be his aduyce, the Archibifchop of Glafgo, and the deputie thefaurars, I wrait ane anfuer. The copies of both I have fent to yow, and will pray yow to feik opportunitie to fchaw thame to his maieftie and my lord chamberlane, to the effect we may vnderftand be your diligent aduerteifment, if his maieftie allow of oure anfueir, which we haue framed, to the bringing that feruice to ane gude and fpeidie

end: becaus we perſaue be the erles letter, which is all writtin be the Biſchop of Orknayes hand, that thay renconter great difficulties, which continouance of tyme will augment. Bot if his maieſtie miſlyke any pairt of oure opinion, and be pleaſed to command any thing to the contrarie, we may mak his royall pleaſour knowne to the Erle of Caithnes with all poſſible ſpeid. The Biſchop of the Iles hes protracted long tyme verie vnproffitablie, whairof he now perſaues the errour, and regrates it be ane letter which we reffaued from him yiſternight, whairby he promeiſes now to go ſordward to Ila; bot verie vnſeaſonablie, becaus the cuntrie people, be whoes aſſiſtance he might have expected to have ſtraited the rebels, ar now ſo buſied with thair harveſt, that thay will rather aduenture to diſobey the proclamation, nor loſſe the cornes, whairvpon thay and thair families muſt leive whill this tyme twelmonth. Alwayes, we haue granted him all the warrandis he requyres, and ſall omit no thing, that is in oure power to aduance his ſeruice, and encourage him thairin; albeit I mixed my laſt anſweir to him with ſum bitternes, becaus his inexcuſable delayes had greatlie preiudged his maieſties ſeruice.

I pray yow learne and wryte his maieſties pleaſour anent the foure priſoners ſent from Orknay, whoes depoſitions wer in the laſt packet; for the Earle of Caithnes hes ſent thame as notable rebels, and thairfore it wald be knowne, whidder his maieſtie will have thame executed or delayed. So, prayeing yow to vſe diligence in ſignifeing his maieſties pleaſour in thir affaires, I commit you to God. Edinburgh, 15 September [1614?]

Your loving brother,

Binning.

To my beloued brother, Maiſter
Patrik Hamilton, at Court.

XCVII.—THE LORD CHANCELLOR TO LORD BINNING.

Most Honourable Good Lord,

The ſam morning cam to me the bailȝeis of Bruntiland, and hes ſchawin me, thair is a Spaniſch ſchippe cum into thair harberie, ſwa lekt, that incontinent, efter thair incomeing, ſchea fat doune, and is not able to go out againe. Thair was in hir 32 men. Thay ſay thay ar fiſchars of whailes, and thair erand aboute our Iles was for that. The bailȝeis of the toune ſchaws to me alſo thair is ſum prouiſioune in thair ſchipt and geir, that bears appeirance thame to be of that vocatioune; but other ways thaj appeir alſo to be ſlicht men, hable and tydie, hes nather cokket nor chartour pairtie; and ſeing of the brootes was heir, of the grit preparatioun of a Spaniſche nauie, and vther foraners, I think of our dewtie we cannot omitt to try quhat may be in this, for ſic people hes not beane in vſe to haunte heir away. I haue commandit the bailȝeis to put in thair towbuith the capitane, wha is a Spaniȝard, the pilott, quho is ane Inglifch man, and hes Spaniſche languadge, thair chirurgian, quha is a Frenche man, and ane Scotts man, quhome thay tooke in north at Aberdour [Aberdeen?], in our coaſte, to be pilate to thame in this firthe. I haue commandit thame alſo to caus watche vpoune all the reſt, that thay go not from the houſe wher thay ludge. The bailȝeis ſchew me alſo, that this morning the ſkippar, being a ſchipboord with ſum of his companie, is gone to Leithe. All this I thocht good to ſignifie to your lordſhip, as the bearar will alſo declare to your lordſhip, at mair lenth. I think meiteſt, that your lordſhip ſall incontinent ſend doune to Lethe, and caus bring vp to yow the ſkippar, with any vthers ar thair with him, to be examinet be your lordſhip, haiſing with yow my lord theſaurar, advocat, or ony others ar of the counſell in toune; and that your lordſhip alſo ſend ouer to Bruntiland, a warrand to the bailȝeis thairof, to bring ouer to your lordſhip the foreſaid captane, chirurgiane, Inglifchmane, and Scottes man, to be alſo examined

thair be yow, vpoun all particulars, as ye ſall find occaſioune in your wiſdome.

Indorſed by Lord Binning:

"Copie of my Lord Chancelars letter to me, anent the impriſoning and examination of the Spanyards.
"22 September, 1614."

XCVIII.—LORD BINNING TO THE LORD CHANCELLOR.

My most Honourable Gude Lord,

Maister James Raith hes delyverit to me your lordſhips letter writtin this day, aduertiſing me of the directioune gevin be your lordſhip to the bailzeis of Bruntiland, to put in thair towbuthe the captane, the pilot, and chirurgiane of the Spaniſche ſchipe arryued in thair harborie, and the Scottis mariner that is with thame; willing me to ſend for theſe priſſoners, and to caus the bailzeis of this toune to tak the Spaniſch ſkippar, and ſum of his companie, and bring thame to this toune to be examined be me, and any of the counſell I can haue reddieſt with me; which I ſould preſentlie haue obeyd, if I fund probabilitie of thair ſudden depairtour. Bot ſince thair ſchippe cannot be of ony farder vſe to thame, I cannot think that thay can be hable to remoue ſone frome this. Nather dois it ſeame fitt, in my waik judgement, to deale ſuſpitiouſlie or too rigouroufflie with thame; for ſince thair is publict peace betwene his maieſtie and thair king, and that thair is not ony of his maieſties ſubiects that compleanis on tham, nor ony goods within thair ſchippe which may breid ſuſpitioune of onie piracie committed be thame, gif ony rigour be vſed aganis thame, thair reporte of it to thair king, may moue him to

deale malicioufie with oure merchantes, of quhome ane thowfand go to his dominiouns, whair one of his fubiects come to this cuntrie; and giue the hard vfeage of this people gaue beginning to fuch inconvenient, the blame wald be imputed to the authouris of the firft feueritie. This I am bold to propone to your lordfhips confiderationne: Bot, if your lordfhip perfift in your opinione, I fall heir attend your lordfhips comeing, and affifte and follow your lordfhip in any thing your lordfhip thinks fitt to be done for his maiefties feruice, and good of the cuntrie. The reporte of the comeing of the Spanifche nauie in the narrow feas is fals, praifed be God; to quhois protectioun I humblie committ your lordfhip, and reftis. Edinburgh, 22 September, at nicht.

Indorfed by Lord Binning:

"Copie of my anfuer to my lord Chancelar, anent the taking and examination of the Spanyards.

"22 Sept. 1614."

XCIX.—LORD BINNING TO PATRICK HAMILTON.

Brother,

I have this day reffaued your letters of the fyftent. I have not any mater to wryte to yow, becaus I have hard nothing from Orknay or Ila fince my laft, fent to yow vpon thurifday laft, fince which tyme I have ftayed in this towne with my lord Aduocat, expecting your vncles returne this night; and if he cum, I intend tomorrow, God willing, to go to Fyfe, and to cum bak vpon Mononday.

Yow haue done wyſelie to reſolue to conforme your journay to my lords pleaſour. I pray yow pairt with his fauour, and tak ſo ſpeidie ordour with your turnes heir, as you may be at court, at the tyme, which his lordſhip ſall aſſigne; for thair is great reaſon why you ſould not be long abſent, at this tyme, as yow may know before yow cum from court, if rumours be trew. Bot yow muſt not tak notice of any ſuch mater, without farder certantie nor I haue as yet. I know not what tyme yow will ſie oure freind that is ſent for, nor who will accumpanie him; bot that will be ſignified to yow in dew tyme.

Sanders intendis to be with you or it be long, with confidence of gude ſpeid in his buſines.

I am beholden to the gentleman to whom you ſchew the note concerning the coales, and wiſh him gude ſpeid in all his affaires. If I can do more for him, I ſall be hairtelie redde. Yow know my lord appeired to deſtinat that for ane vther, bot if he hath thoght fit to chainge his pourpoſe, it is no dowt for gude reſpects.

Sir James Stewart, as I heir, hes ſent his ſeruand to court, for what cauſe I know not, vnles it be to expeid his warrands for the lord Blantyres place in ſeſſion and counſall; for it [is] conſtantlie ſaid and beleiued heir, that Sir James hes his dimiſſion for bothe.

I am perſuaded you haue informed his maieſtie, and my lord, of the two ſeuerall furneiſſings of victuall and munition ſent from this to the erle of Caithnes, which I hope will more nor abundantlie furneis him evrie way, during his ſtay thair. Yow haue done exceiding weill to remember ſo effectuallie the biſchop of Orknayes buſines; for before God, your vncle and I wer ſo far ingadged to him, when we perſuaded him to aſſiſt this ſeruice, that if he had bene diſappoynted we had reſſaued inexcuſable diſcredit; I pray yow alſo remember the warrand for the erle of Caithnes admiſſion vpon the counſall.

If this letter be accumpanied with ane ſignatour of myne, of the Tempillands, which I haue boght from the lord of Torphechin and Maiſter Robert Williamſon, I pray yow ſute the expedition thairof, of his maieſtie and my lord. If any difficultie be maid, aſſure thame that thair is no

thing conteaned in it, bot that which wes in the lord Torphechins infeftment, granted to his great vncle be the Queine, in anno 1563, and euer fince poffeffed be his vncle and him, while of late that he difponed thefe Tempillands to Maifter Robert Williamfon, in anno 1609. Thay ar vnworthie, poure parcels of land, of ane aiker or two, or thrie a piece, difperfed in many feuerall pairts of the cuntrie, and difmembred of before for the moft pairt; Angus being difponed to the lord of Balmerinoes father, and now to himfelf; Perth to my lord of Scone; Roxburgh to young Ferniherft; and eight or nyne vther fchyres to feuerall perfones, fo that the worft and deireft is fallin in my hand. If any exception be takin aganis the regalitie, or any vther thing conteaned in my fignatour, defyre that it may be exped vnder his maieftie and my lords hands, if thay pleafe, and fent to be confidered be your vncle and the Aduocat; with direction to ftay it, if it exceid the privileges conteaned in the lord of Torphechin and Maifter Robert Williamfons infeftments, for I cannot imagine that my mifluk will be fuch, as not to be allowed to poffefs that, whairof thay had right and poffeffion, which thay have tranfferred in me.

John Stewarts fchip, which cairied the laft prouifions to Orknay, maid faill from this vpon Setterday laft, and had the wind fo fauorable, as we coniecture, that fcho wes in Orknay vpon Mononday, at night. I can not meruell aneuch at the erle of Caithnes flow aduerteifment. I pray yow be cairefull of the warrand for his place in counfall, and for difpatche of the bifchop of Orknayes fecurities, for thay much import oure credit; and, if that wer well done, I fall not rafhlie heirefter vndertak much, having fo fmall credit to performe.

I thoght to haue difpatched thir letters vpon the 21, bot your vncles flow returne to this towne ftayed me till now. This teftimoniall of the laufulnes of Maifter Richard Spens his fones birth is recommended be my lord Aduocat.

I haue fend to yow my vther letter concerning the Spanifh fchip, with the copies concerning that bufines, to be fchawne to his maieftie and my lord, at your firft occafion.

If yow find any fuch difficultie in my fignatour, as my planeft bufines vfes to reffaue, mak no farder inftancie in it, bot fend it bak to me; for

it may laufullie pas heir as ane vfuall grant, conteaning no noueltie nor fauour. God be with yow. Edinburgh, the 23 September [1614?]

Your loving brother,

BINNING.

To my beloued brother, Maiſter
Patrik Hamilton, at Court.

C.—THE BISHOP OF THE ISLES TO LORD BINNING.

MY SPECIALL GOODE LORD,

RECEAVING frome my Lord Secretare, ane verie byiting lettre, laying the weytt of the taking of the houſe of Dunavaig, vpoun the negligence of my keiparis theirof, and the long keiping theirof be the rebellis, vpoun my fleuthe, whilk femed to proceid, ather of fome of my vnfreindis informatioune of his lordſchip, or els of his lordſchipis conſait of me, whilk I neuer merited; I preafed als cairfullie as my might or credit micht extend to, (albeit I wanttit both place, purſe, and credit neidfull to haue affectuatit ſuche ane earand,) to releive my ſelf of that imputatione, and with all diligence I tuik my jurney toward the Yles, prouydit with ſuche ſervitours and ſmall cumpany of men as I micht with ſuche haiſt procure; and thinking my number too ſmall to venture in conference or plotting with rebellis, I ſend ſex of the beſt of my cumpany weill acquented with theme, to theme with the remiſſione; thinking, that, according to thair oathe and promeiſe be wrytt, and vpoun the refett theirof, they ſuld haue deliuered the houſe; whilk they returned anſuer with ſome of my feruands to me, that they ſuld be reddie to do, within tua houris eftir they had ad-

vyſit and being reſoluit whidder the remiſſione wes ſufficient or no, as I wrait to your lordſchip of before. Vpoun the whilk promeiſe I ſent ouer my ſeruandis the ſecund tyme, and I reſted ſtill in Arrane, thinking they ſuld haue keipit their promeiſe, but they returnit the ſecund anſuer to me, that they culd not delyuer that houſe, bot to my ſelf being perſonall preſentt, and to reſſaue ane ſufficient aſſurance be wreat, of my freindſchipe in all tyme cuming; and therefore, leiſt they ſuld haue excuſed their rebellione in reſpect of my crayuing to come that far vnto theme, and leiſt that your lordſchip ſuld haue layed ane new burdein vpoun my ſleuthe, inreſpect of the neglect of that ſeruice, and that, feiring the treacherie of theſe rebellis, I prouydit ſuche cumpany, as ather my credit amangſt my freindſhip, or of any money whilk I might procure, to convoy me thair. The harueſt wes ſo great ane impediment, that the nightbouris in the Iles, and the Yles men themſelfis [wer] ſo cairles in this ſeruice, that for the moſt pairt, all men refuiſed me, and in ſpeciall M'Len and M'Leude of Hereis, ſua that I culd obtene no nomber to go thairwith, except threſcoir and ten perſonis, of the whiche, their wes fyiftie weageit ſoldiouris and tuentie followeris of the Laird of Ardincaple, my nevoy the Laird of Ranfurlie, and my ſelf. With theſe I landit in Ila, the 19 of this inſtant, being aſſuredlie informit, that Donald Gorme of Slait and the Laird of Hardancaple, whome I had ſend beſoir my ſelf, yit agane to the houſe to mitigat the rebellis humouris, pacife and move theme without delay to obey the charge. I wes alſo deſyred be word and wreat, that the tenentis of the cuntrey wald concur with me, and that the beſt half of the Clan Donald of that Ile, would aſſiſt me, to the whilk effect, ſome of theme mett me be the way, and convoyit me to Ilay, and remanit with me night and day, while the 21 day, at aucht houris in the morning, who depairting then frome me, and Hardencaple and Donald Gorme comeing to me, and gave vp commoning and vtter refuſell to delyuer the houſe any maner of way; and immediatlie aftir theme, the greitteſt nomber of the name of Clan Donald of that Yle, both of the taikeris of that houſe and ſuche as medlit not with it beſoir, come togidder to the nomber of ane hundreth men in armes and mae, and ley betwixt ws and our boittis, whilks they immediatlie brake, all to the nomber of four boittis, and ſpoyled the haill gudis thare out of by our knawledge, affirming, that they come onlie to

confer with me and pak vp maters, be the aduyſe and interceſſione of Donald Gorme and the Laird of Hardencaple,—while the 22 day, about aucht of the clok, when they reſortit to theme, ane vther hundrethe and mae, pairtlie of the cuntrey men, pairtlie of their owin accuſtomit followaris, and ſo having ws cut of frome our boittis, they directed a threating to ws, that they wald put ws all to the edge of the ſword without exceptione, or els it behovit ws to deliuer ſuche of our nomber to theme as they wald chuſe: Vnto the whilk for eſchewing of bluid and greittare inconvenientis, it behovit me to yeild, and ſo to chuſe out of our cumpany, my nevoy the Laird of Ranfurlie, and my ſone Mr Thomas, whome they haue taikin with theme to the caſtell of Dunavaig, whairby your lordſhip may perceave how traitouruſlie I haue bein oft deſaiffit be that peſtiferous clan, how hard my caice is many wayes, and in what trouble my freindis ar cum in, be my cair to ſerue the kingis maieſtie, both in keiping that houſe and in preaſing to recouer, vpoun litle or none of his maieſties charges, whiche I dout not, as his hienes, ſo your lordſchip will ſie remedit, and that with all diligence, vtherwiſe I am vndone: nather can I depairt frome this yle, whill I ſie ſome comfortabill way for the releif of their captiues, as moir particularlie I haue giuin informatione to the bearer. Beſeiking your lordſchip to grant thairto, whilk ſalbe nowayis preiudiciall to his maieſties or your lordſchipis intentione in that particulare, what euir it be; his maieſtie recouered the biſchope of Darayis houſe and his wyf, whoſe houſe and caſtell wes taikin be Odochortie, and recompenſed the ſkaithe: his hienes wairit expenſes vpoun the recouerie of the houſe of Dunavaig, when it wes taikin frome my Lord of Scone, who had for the keiping theirof ane thouſand merks ſterling a yeer. I hoip your lordſchip will not ſie me and my freindis wrak, whilk referring to your conſcieabill diſcretione, and beſeiking God to blis your lordſchip, I reſt

Your Lordſchipis affectionat ſervand,

An[drew] Iles.

Frome Iley, the xxiij of September, 1614.

Thay haue biggit ane new forthe in ane logh, whiche they haue manit and victualat. Angus Og their captane affirmis, in the heiring of my manie witneſſes, that he gat directione frome the Erle of Argyle to keep ſtill the houſe, and that he ſuld procure him theirfoir the haill landis of Yley and houſe of Dunavage to himſelf.

Direct

To my verie ſpeciall goode lordis
my Lord Binning, Secretare,
and my Lord Theſaurer of Scotland.

Indorſed by Lord Binning:

"Copie of the letter reſſaued from the Biſchop of the Iſles, the penult of September, at nyne at night."

CI.—LORD BINNING TO PATRICK HAMILTON.

Brother,

I hope that touard the end of nixt oulk, yow will ſie my Lord of Balmerino at court, to whom I aſſure myſelf yow will do the beſt ſeruices yow can.

I wrait to yow of Sir James his journay to court, bot I haue not ſenſyne hard any certantie of it. Bot it is ſaid that Mr William Leuiſton

hes cairied thither the dimiſſions of the places of Counſall and Seſſion, with preſentations for his admiſſion. Whither he have any warrand for renunciation of the erldome I know not.

So ſone as I reſſaued your letter, I reſolved vpon the rolls, bot becaus the anſweir muſt be returned be your vncles advyce, who is not yet reddie, it muſt be delayed till the nixt packet.

As I wrait before, if yow find difficultie or delay in my ſignatour, forbeare to mak buſines for ſo vnworthie ane mater; and ſend it back to me with any anſweir yow get.

Your freinds ar, praiſed be God, in gude health, and your nevew James of Innerueik yiſterday mairied; I wiſh and hope it be happelie and in gude tyme.

I ſend Maiſter Thomas Murrayes letters with diligence as thay wer directed; bot I can not reſolue ſuddenlie to embrace the pourpoſe whairof you wrait to me, for reaſons which I ſall wryte or declaire to yow at meiting. For your jurnay, as I wrait before, I think yow may diſpoſe it as yow pleaſe, having my lords gude leave to it.

The attendance vpon aduerteiſment from Orknay ſtill deteanis me priſoner in this towne, ſo as I haue diſchairged no dewtie to any of my freindis in the cuntrie all this vaicance. So I commit yow to God. This 28 of Sept.

Your loving brother,

Binning.

Yow may communicat ſo much of my letters to his maieſtie or my lord chamberlane as yow think fit.

To my beloued brother, Maiſter
Patrik Hamilton, at Court.

CII.—LORD BINNING TO PATRICK HAMILTON.

Brother,

I have reſſaued your letters in the packets of the 24 and 26 of this moneth, to which I wald have anſuered ſoner, if I had not delayed expecting evrie houre aduerteiſment from the Erle of Caithnes whiche is not yet cum: nather haue we hard thir fyftene dayes from the Biſchop of the Iles. I haue reſſaued the Biſchop of Orknayes ſignatours, whairin, God knowes, I had no melling bot for the aduancement of his maieſties ſeruice. I pray yow be not unmyndfull of his maieſties warrand for admitting the Erle of Caithnes vpon the counſall, for I am perſuaded that his gude ſeruice, will merite that and much greater fauour from his maieſtie.

I haue appoynted the bailyies of Edinburgh and Leith to be caireſull, ſo ſone as the olde Lady Athole and hir pretended huſband ſall cum on land, to tak ordour for thair ſaif detention, whill thay vnderſtand the counſals pleaſour concerning thame.

So ſone as I vnderſtude be your letter how vnwilling his maieſtie wes that any hope of mercie ſould be ſchewne to Robert Stewart, I preſentlie wrait of his maieſties reſolution to the Erle of Caithnes, and for his better aſſurance copied the verie wourdis of that pairt of your letter, and incloſed thame within my letter to him, which I directed with all poſſible haiſt with ane poiſt be land, becaus my meſſages be ſea, ar ſo incertane, as miſluk may delay thame verie long be the way. I haue challenged his lordſchip and the biſchop of Orknay ſo hardlie, for thair negligence in not ſending land meſſingers to ws evrie oulk, twiſe at leaſt, that I am perſuaded thay will not heireſter commit the lyke ouerſight, ſo long as thay haue occaſion to attend that ſeruice. Rumours from the Low cuntries and from court, put oure people in feir of the arrivall of ane Spaniſh navie, touards the

Sluce. If yow learne any certantie of maters of that kynd, I pray yow let me heir it be your letters. So, till farder occaſion, I commit yow to God. Edinburgh, 28 Sept. [1614?]

Your loving brother,

BINNING.

To my beloued brother, Maiſter
Patrik Hamilton, at Court.

CIII.—LORD BINNING TO PATRICK HAMILTON.

BROTHER,

THE bearer heirof, Archibald Cambell, having tane earniſt trauellis to moue the Laird of Cadell, to conſent to accept the few of Ila vpon condicions far aboue any thing that any reſponſall man of qualitie did euer to my knouledge offer for it,—he hes alſo perſuaded Cadell to vndertak the recouerie of Dvneveg, be his owne forces and at his privat chairges, he being furneiſſed of canon, pouder and bullet, be his maieſtie; onlie relying vpon his maieſties gracious acknouledgement, eſter the ſeruice be well accompleiſſed, as the deputie thefaurer, the Aduocat and I have writtin breiflie to my Lord Chamberlane; whairwith I have thoght fit to acquent yow, to the effect yow may giue your freindlie concurrence to this gentilman in his affaires, becaus I knew him well affected to his maieſties ſeruice. It pleaſed my Lord Chamberlane, to recommend to me the aduancement of his maieſties benefite be fewing of the iles, whairof I am ignorant, except ſo much as I may learne, be information of theſe who know the true eſtait of theſe cuntries, wherein I know not any to be more truſted, nor the bearer; and thairfore, if yow vnderſtand my Lord Chamberlane to perſiſt in that reſolution, it will be fit that his lordſhip direct this gentilman to relate the true eſtate of theſe cuntries to his lordſhip,

and the beſt meanes to reduce thame to peace, ciuilitie, and proffeit; and thairefter what my lord ſall be pleaſed to command me, I ſall moſt willinglie obey it. Referring all farder to your nixt aduerteiſment, I commit yow to God. Edinburgh, 28 Sept. [1614?]

Your loving brother,

BINNING.

To my beloued brother, Maiſter
Patrik Hamilton, at Court.

CIV.—LORD BINNING TO JOHN MURRAY.

SIR,

I WILL neuer leive of to trouble yow, ſo long as my freindis haue to do at court; ſpeciallie, when thair ſute is joyned with his maieſties ſeruice, as at this tyme the laird of Glengarnok, who hes begun to giue pruif of his affection and travell for advancement of his maieſties royall diſſein of plantation of Ireland; and, ſince his reſort to that cuntrie, hes performed gude ſeruice in ſuch affaires as hes bene inioyned to him be the eſtate and counſall of that kingdome, having of late gottin knowledge that ſum landis ar fallin in his maieſties hands, which ar to be diſponed to ſuch, as being able and willing, to give perfyte aſſurance for dew plantation, ſall mak firſt ſute for the ſame, and find beſt aſſiſtance of freindis in thair petition. I haue tane occaſion to recommend his buſſines to your fauour, bothe for the gudewill I owe to the gentilman, as me ſpeciall gude freind, and for the gude of his maieſties ſeruice, whom it greatlie concernis, that lands vaicand in that cuntrie, be gifted to ſuch as ar weill affected to the ciuilitie and quyetnes of the kingdome, and be thair reſidence may bothe ſtay troubles, and aduance policie and gude ordour.

So, hoping, that, according to your accuſtumed kyndnes, yow will interpone your paynes and credit for furtherance of this gentilmans laufull buſſines, I committ you to God, and reſt

Your moſt affectionat and obedient freind,

BINNING.

Barnbougall, penult September [1614?]

My feruand, Dauid Hamilton, and the tutour of Bointoun, my freind, ar to accumpanie the laird of Glengarnok, becaus thay ar to haue portions of the land, if he prevaile in his ſute, which bindis me alſo to be the more earniſt in my requeaſt for thair intereſt.

To the right wourſchipfull John Murray of Lochmaben, one of his Maieſties Bedchamber, at Court.

CV.—THE LORD CHANCELLOR AND LORD SECRETARY TO KING JAMES VI.

MOST SACRED SOUERANE,

IN reſpect of the ſcairſtie of perſonis of rank and qualitie, to diſcharge the office of ſchireſſhip, within theſe ſchirefdomes, quhairof, the nominatioun and electioun of the ſchireff, is in youre maieſteis handis, we haif heirwith ſend vnto youre maieſtie three perſonis, in lyte, for euery one of theſe ſchirefdomes, to the effect youre maieſtie may mak choice of one for euerie ſchirefdome, quhome youre maieſtie wilbe pleaſit to

prefer to thefe officeis for the yeir to come; and vpoun the returne and fignificatioun of youre maiefteis will and pleafour thairanent, we fall caus thair commiffionis be exped vnto thame: And fo, praying God to bliffe youre maieftie with all happynes and contentment, we reft

Youre Maiefteis moft humble and obedyent
fubiectis and feruitouris,

AL. CANCELLS.
BINNING.

Edinburgh, the laft of September [1614?]

To the King his moft facred and
excellent Maieftie.

CVI.—BISHOP OF GLASGOW AND LORD BINNING TO KING JAMES VI.

MOST SACRED AND GRATIOUSE SOUERAIGNE,

THE expectations we had to haif wrocht fum agrement betwen the lord of regifter and fir John Skein, movit ws to differ the report of our trauellis in that bufines vnto this tym. According as your maieftie was plefit to direct ws, that we fuld trauel to haif Maifter Alexander Sken refavit in the office of hornings, or then caufe fum fatiffactioun be gefin him be the clerk of regifter, we vrgit that firft, and hafing reffavit his anfwer twiching the office, that he culd not difpone it for dyverfe reafons, we cam to the fecond, anent fatiffactioun. The clerk of regifter offerit to fubmit him felf to ws two, in that point; only excufit that he culd not fubmit with Alexander Skein, as ane with quhom he had no thinge to do, but with his father or brother, that had the office before, he wes willing. We bothe thocht that none of tham fuld differ vpon that point to agre,

for if he gaif ſatiſſactioun, it wes al one to him quho ſuld reſaif it, if he ſuld be diſchargit be tham al. But he anſwerit, that he had ſignefeit his mynd to your maieſtie in thoſe termis, quhiche he culd not alter without your maieſties commandement. On the other ſyd, we fand tham no way inclynit to reſaif ſatiſſactioun, becauſe the burthen lay vpon Maiſter Alexander, be thair privat bargain amongeſt tham ſelfis, to mak payment to his father out of the office, yeirly, of the ſowm of ane thowſand merkis Scottis, quhiche thai knew the ſatiſſactioun that wold be modifeit ſuld never extend to. And ſo, findinge theſe difficulties, we haif left the buſines and tham to do as thai may beſt. Since this is the true account of our procedings in that mater, qhairin, as in al things, we ſal ever be careful at our poſſibilities to ſerve as your maieſtie ſal pleiſe to command ws, praying Almychtie God to bliſſe your maieſtie with al happines, and many yeirs, we humbly kiſſe your maieſties hands.

Your Maieſties moſt humble and obedient ſervants,

Glasgow.
Binning.

Edinburgh, laſt of September.

To his moſt ſacred Maieſtie.

CVII.—THE EARL OF CAITHNESS TO LORD BINNING.

My verrie Speciall Good Lord,

In reſpect your letter daitit from Edinburgh, the fyfte of September, and come in my hands the fourteint of this inſtante, declaring your lordſhip's diligence for expeding of all neceſſars for this ſeruice, quhich I haif more nor neid for, daylie I, and all that is heir with me, hes

hote feruice with thir moft bluidie and barbarous rebeles and traitours; thay haue killed four, and the laft is ane Willeam Iruine, ane Orknay gentleman, one quho, fince his deathe, I haue hard was ane moyenour, and ane greit freind to the traitouris. God is juft in his judgementes, for amongs ws all ftanding by him, he is fchote dead vpoune the nyntente of this moneth at twa houres in the efternone; ane cuntrieman of myne fchott throughe the arme, and ane fouldiert fchott behind, beneth the bak, and one flaine in the caftell. All this is done this laft dayis fkirmifche (thair is not one day that I am idle, except the fabothe.) My lord, I will affure your lordfhip, thay ar moft defperat and cruell tratours, and is ane verrie ftrong hould, and nothing can do to thame except the cannone. Quhair your lordfhip hes fett doune in your letter of his maiefties advyfe, that I fould be fpairing to grant pardone to notorious rebelles and malefactoures; my lord, God forbid, that I fould tak vpoune me to graute ony pardone to ony, quho hes fo heighlie offendit his facred majeftie: befoir his majeftie wer not repairit to his honour, be all the lyffes of thir bluidie tratoures, that is within this diuilifch caftle, I rather be buried heir, for, my lord, I will be plane withe your lordfhip as to ane faithfull counfellour to his maieftie, I find none bot the name of Sinclar, in all this land, bot hes bene in counfell of this rebellioune, or eles airt and pairt; for thair is ane band fubfcryuit be feuin hundred of this cuntrie people, to Robert Stewarte and Patrik Halcro, to die and leiue with thame. This rebellioune was devyfit in Edinburgh caftell, in winter laft, and giue God grant me that gud fortune to get on lyue Robert Stewart or Patrik Halcro, his maieftie will hear of good fporte. I haue Andro Martine, quhome I mynd quhen I find occafioune, be fea, to fend him to be examined be your lordfhips of his majefties moft honourable priuie counfell. I haue caufit him fubfcryue his awin depofitioune, vpoune the quhilk your lordfhip will get mater eneuche to gar him fpeak Scottis, giue he lyk to blot his maifter to be the hounder out of his fone, to do all that he hes done. I can not, nor may not, ftop the inhabitantes of this toune from fpeiking with the traitoures, geuing of thame meit and drink, making thame aduertiffit quhat I am doing, and making daylie and nightlie advertifmentes of all that thay can aither heir or fie. I will in-

treat your lordſhip to mak me advertiſit, with diligence, of the counſels mynd, quhat I ſall do to thame, both men and wemen. I haue takin nyne or ten men of Birſay, quho was with Robert, and was platters with him in this rebellioune, and ſpeciall keipares of the hous of Birſay, quhom I mynd to put to ane aſſyſe, and, giue thay be conuict, to hang thame for ane exemple to vthers. My lord, this ſeruice is not lyk to haue ſo haiſtie ane end as I would. Your lordſhip knawis my commiſſioune grantit to me is no longer then two moneth, of the quhilkis thair is fyue weiks and more outgone; and giue it will pleas your lordſhips, of his maieſties priuie counſell, hould me heir till it pleas God that I put ane finall end to this miſchante rebellioune, I would haue ane new commiſſioune, with all priuilege neidfull, to the ſeruice be endit; for I proteſt to God I neuir, nor nevir ſall, cum to ane cuntrie that may be compairit in falſett to this cuntrie people. I vſe thame both with lenitie and fair formes, as the biſchope will informe your lordſhip; and, for all that I can do, thay haue thair ſecret moyen and traffecke with the traitores; and as for Maiſter Johne Finlaſoune, thair is no remaneing heir to him, giue I wer once oute of this cuntrie, for man, wyffe, and bairne, haits him to the deathe: Thay haue minted twyſe to kill him ſince his comeing heir with me, war not I. Bot now ſeing, thay ſie me to tak plaine pairte with him, thay ar begune to behauld him. Since the beginning of this letter, I haue ſtayit to wryte to your lordſhip, hoping evir vpoune better news. The bark and poiſt came heir the twentie twa, or twentie thrie, with all prouiſſioune neceſſar for the ſeruice; and, efter thair arryvall, I ſent to thame in the caſtell, if they wold cum out and put thameſelffs in his maieſties will, ſimpliciter, I wald lett thame cum out. The penult of this inſtante, it hes pleaſit God, of his mercie, to end this ſeruice in my hands: The houſe is myne, Robert in my hands, and all cumed to me except Patrik Halcro, quhome as yit I haue not ſein. All is cumd to his maieſties honour, praiſit be God. I haue ſex ſlaine to me, many hurte; the ſouldier I wraite was hurte is dead. I will aſſure your lordſhip, it is one of the ſtrongeſt houſlis in Breitane, for I will bring with me to your lordſhip, cannone billets, both brokkin lyk goulſe bales vpoune the caſtellet, and clovin in twa halffis. I could not till now enter with extremitie,

with the followars of Robert, till I was maifter of the houfe, for fear of making more adoe, feing the houfe was fo ftrong; bot now I fall not be flaw to puneifch feueirlie, to mak exemple to vthers to play the lyk. Prefentlie, I am going to drink his maiefties good healthe vpoune the caftell heid. Mr Johne Finlafoune would haue the caftle in keiping; bot I will not, till I hear from his maieftie and your lordfhip, feing it hes cofte his maieftie fo deare, and I and myne the dangeour of our lyffes. I will not giue it him, quho fo beaftlie gaiue it ouer for four fchote of mufcate; always quhat your lordfhips of his maiefties priuie counfell will command me, vpone your advertifment, I will follow, and geiue the houfe to quhome your lordfhips pleafis. I am to expeid the bark and pinnage to your lordfhip, with all diligence, and this day to difcharge the capitane, officers, and fouldiers, the laft of this moneth. My lord, by your lordfhips good caire of me, it hes pleafit his maieftie to graunte me ane remiffioune, and to honour me of that I am vnworthie, to prefer me to be one of his maiefties moft honourable priuie counfell. I can not fay no more; bot this much I fall preife to my deathe, to ftryue with invye for loyaltie and obedience; and hopes in my Saviour, to do his maieftie more better feruice nor this, or then to die; for, I proteft to God, I craue no grittar honour in this earthe, then by my death in his maiefties feruice, my treuth and loyaltie may be knawin at my end. As to your lordfhips manifold good will and pruiffes, I haue euir had of your lordfhips fauour vnmeritit be me, your lordfhip fall haue this affurance of me, I fall euir be your lordfhips, and ye fall neuir fpeak or do any thing to me, bot as ane trew and faithfull feruand to his maieftie, and one that fall euir preafe, fo far as lyis in me, to be anfuerable to his maiefties lawis. Thus crauing your lordfhips pardone, that I am fo longfum, I moft humblie tak my leiue, committing your lordfhip to the tuitioune of the Almyghtie, and I fall euir reft and remaine

Your Lordfhips euir bund to ferue your Lordfhip,

CAITHNES.

At Kirkwall Caftell, the lafte of
September 1614.

Quhat cair, and quhat pains, and haifard, I haue beine in, fince my comeing heir, I will remitt to vthers to declair. Bot befoir it had not proceidit as it hath done, I rather I had bene buried heir. I aſſure your lordſhip, the cannonar hes don his dewtie in this feruice.

Indorfed by Lord Binning:

"Copie of the erle of Cathnes letter to the Secretar.

"Reſſaued 10 Oct. [1614?]"

CVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Gratious Souerane,

Sen the aduerteifment laitlie fend vnto your maieftie, anent the affairis of Ila, with the copie of the letter fend vnto ws, frome the bifchop of the Illis, whairin he comm[ands] fome credite and trufte to Bryce Semple, berair of his lettre; we convenit and mett the day, with fuch otheris of your maiefteis counfell, as in this vacant tyme could be had; and at lenthe hard the gentilman vpoun that credite and trufte concredite vnto him, who reportis vnto ws, that the conditioun craued be the rebellis, is, that thay may haif ane nynetene yeir tak of Ila, maid be your maieftie to the bifchop in thair fauouris, for the yeirlie payment of aucht thowfand merkis; and thay offer to find cautiou[n to the] bifchop for the thankfull payment of the faid fowme. This being a mater tuitcheing your maieftie fo neirlie, in honnour, and whairof the preparative, is fo pernitious and dangerous in confequence and example, we wald nouther allow nor refufe the fame, bot hes referved the fame to your maiefties awne princelie confideratioun. We haif had fome conference with the laird of Cadell, how this rebellioun may be fuppreft, yf fo it fall pleis your maieftie

to follow oute that courſe; and we did lay to his charge, yf he wald vndirtak ony burdyne thairin. At the firſt he feamed to propone ſome impedimentis, as, namelie, the miſcontentment, wiche perhaps ſome noblemen wald apprehend, yf he wer preferrit in that ſeruice to thame, thay being more able to proſequute the ſame, in ſuch ſubſtantious maner as is requiſite, nor he; and nixt the daugeirs whairin the biſchoppis pledgeis wald be, yf ony ſuche hoſtile courſe wer followit oute aganis the rebellis; and, in end, he is come to this, that yf it fall pleis your ſacred maieſtie, to lay on ſuche burdyne vpoun him, he, to teſtifie his goode affectioun to [your] maieſties ſeruice, will willinglie vndirtak the ſame, he being onlie furneiſt with ſome cannonis, and with twa cannonaris, and other twa expert men, for battering of houſſes; and that he fall mak a ſufficient pouer and force of his awne for proſequuting of the ſeruice, and who ſalbe able to command the haill Ile, except the caſtell; and that he fall do his beſt endevoiris to recouer the caſtell. Bot yf the ſeruice ſalbe of ony lang continewance, by halding oute of the caſtell, and ſo fall require the abyding of his forceis a lang ſpace togidder, in this poynte he pretendis ſome difficultyis, as yf the ſeruice muſt be followit oute be your maieſtie. This being the effect of oure conference with him, we do humelie preſent the ſame to your maieſties princelie conſideratioun: And ſo, praying God, lang to preſerve your maieſtie in helthe and felicitie, we reſt

Your Maieſteis moſt humble and obedyent
ſubiectis and ſeruitouris,

AL. CANCELLS. BINNING. W. OLIPHANT.

Edinburgh, the firſt of October 1614.

To the King his moſt ſacred and excellent Maieſtie.

CIX.—EXTRACT FROM NOTE OF PRIVY COUNCIL PROCEEDINGS.

[5th October 1614.]

DIRECTIOUN is geven to the Captane of the Guarde, to ſend tuelf of his company to Dunbartane, and to bring frome thence to this burghe, the

*

Earle of Orknay; and direction is geven to the ſhiref of Dunbartane to affiſt the convoy of the Earle frome Dunbartane to the Falkirk, where the ſhireff of Linlithgow is to reffaue him, and to mak his convoy frome thence to this burghe.

There wes a petition geven in to the counſell in name of Sir George Hammiltoun, proporting that the beeng takkiſman of Yla, and obliſhed to his maieſtie in a certaine yeerlie duetie for the ſame; and beeing lykwyſe burdened with the payment of his maieſties taxation for the ſaid Yle, that now the tennentes and inhabitantes of that Yle, in reſpect of the preſent rebellion there, hes refuiſed other to mak him payment of his maieſties duetyes, or yett of the taxatioun; and therefore his deſyre wes, that he might haue had a commiſſion to go there with a force of his maieſties ſubiectis in armes for vplifting of his maieſties dueties, and of the taxation. This petition beeng hard and conſidered, the counſell hes forborne to grant the ſame whill his maieſties will and pleaſſour be knowne.

CX.—BISHOP OF ORKNEY TO LORD BINNING.

Right Honourable my verrie Good Lord,

It was nather of cairelefnes, negligence, nor obliuioune, that my lord and I did not wryte ſo frequentlie; bot our inſtante cair and diligence to bring the ſeruice to ſum happie end, did hauld ws from wryting, till we did ſie the expectit fruit of labours, which we knew wald not be vnpleaſing to his maieſtie and your honouris. I hoip my letters with the laſt poiſt, James Gairdner and Robert Winrame, relatiue to the former, ſall prevent thir, and geiue ſatiffactioune to your lordſhip, in all anent the ending of this actioune, quhairin thair is nothing promeſit nor done, quhilk is not agreeable to his maieſties pleaſour and your lordſhips deſyre. Robert, and Patrik Halcro ar tranſportit this day to be keipit in Caſtell Sinclar, and from thence to be exhibite to your lordſhip. The reſt ar

keipit priſſoners in the caſtle, and my lord and I (efter that Roberte, and Patrik Halcro be diſpatchit with yung May and ane ſufficient number of hable men to gaird thame), ar prefentlie going to examine euirie one; and the nixt day, God willing, thay fall ſuffer judgement and condigne puneifment. The winds, hailes, fnaws, raines, ar fo extraordinarie, in thir places, that all had bene done and accompliſſed befoir this day, giue it had bene poſſible. Andro Martine, quho was fent with Robert Winrahame, would be weil examined be your lordſhip. I hoipe to cum by the band it felf, quhairof I fent the coppie with his depofitiounes. Thair is one Margaret Buchane, fpous to Simeone Stewart, and now adulteres to Patrik Halcro, quho hes revealit and confeſſit to me more then any other. If your lordſhip think, that hir depofitiounes or prefence falbe neceſſar, direct me, and it fall be obeyit, for I purpofe to put hir oute of this cuntrie, for hir adulterie. Anent the articles fent in my laſt letters to your lordſhip, I befeik your lordſhip, advyfe and adverteis; and fince your lordſhip hes gevin me aſſurance of the paſſing of my rightes, (for the quhilks I fall euir be cairfull to expres my thankfulnes in all dewtie and feruice) I fall be diſpofed at your lordſhips pleafour, aither to come fouth with the erle, or ſtay heir a litle efter, for my awin buſſines, or any feruice fall be committit or commandit to me. As for other things, your lordſhip will knaw thame be my letters writtin to my Lord Thefaurar. So praying God euir to favour, profper and preferue your lordſhip, I reſt your lordſhips awin aſſured and obliged in all dewtie.

JA. B. OF ORCADS.

Kirkwall, 6 October 1614.

Indorfed by Lord Binning :

" Copie of the Biſchop of Orknays letter to me.

" Reff. 15 Oct. 1614."

CXI.—EARL OF CAITHNESS TO LORD BINNING.

My most speciall Good Lord,

I ressauit your letter, datit at Edinburgh the twentie, and cam in my hands the fourte of October. Befoir the reffett of your lordſhips letter, I wrait at greit lenth of the haill procedings heir and of the ending of this feruice, that God of his mercy hes maid to come vther ways nor any man expectit. My lord, war not I vfed the mater fo cannelie, and maid Patrik Halcro to faill thame, that was thair in the caſtell, it wald haue bene ane longfum ſaidge; for I proteſt to God, the hous hes neuir bene biggit by the confente of the diuill; for it is one of the ſtrongeſt houlds in Britane, without fellow. I ſie be his maieſties letter, direct vnto your lordſhips, of his intentione to Robert Stewart; quhilk, I thank God, I haue nather ſaid to him bot this; and vpoune that conditioun he cam out: Quhilk conditioune was in this forme, gif he wald come furth and put himſelf ſimpliciter in his maieſties will, to diſpone vpoune him at his maieſties pleaſour, I ſould keip and preſerue [him?] frome euirie danger of my folks, till his maieſties pleaſour and will wer knawin. He deſyrit, that I wald promiſe vpoune my honour, to preſerue him till I brocht him to his maieſtie: That I plainlie refuſit, for, I ſaid I could not promeis that my ſelffe might haue acces to his maieſtie, without the ſpeciall licence of the lords of his maieſties moſt honourable priuie counſell. To conclud, he plainlie ſubmittit himſelf to his maieſties will; but befoir he did this, Patrik Halcro had left him, and ſaid plainlie to him in the caſtle, he wald geive it ouer, quhich maid him come out, vpoune the foirſaids conditiones, and no vtherways, as I ſall anſweir to God. Robert Stewart hes na farder of me, for I ſpak with him, and ſmellit that he wald neuir geiv over that hous to be torterit, and to be compellit to reveill vpoune his father to be his wrak. I finding this, I deſyrit gif he wald let Patrik Halcro cum oute and ſpeik with me, vpoune that ſam plaidge that was in for him; he plainlie refuſit: I ſeing it ſo, I maid me to be weill

contentit with his anſweir, and ſaid I wald go fordwart with the ſeidge. He paſt to the caſtell, and in his companie, I pat in ſecret woord to Patrik Halcro, to ſie giue the morne he wald cum out and ſpeik with me, in the kirk, vpoune plaidges; quho grantit, and cam furth to me; and eſter four houres conferens, he and I, hand to hand, I maid him to yeild that he wald giue it ouer, and mak the hous to be in my hands, vpoun conditioune I ſould promeiſe him his lyffe, quhilk I did. Then he willit me to caus ane miniſter come in and preiche to thame, quhilk he ſould meanis that the reſt ſould be contentit to heir, and ſo he ſould mak the mater ſo, that he ſould be out of ſuſpitione, to the gritteſt pairte of thame war out of the caſtell; and as thay cam out to geiue tham fair countenance: And ſo, be thir meanis, Patrik Halcro maid the hous and all thoſe that war thair to be in my hands. The procedings and ceremonies tuik mekle of aucht dayes, quhilk was the occaſioune that your lordſhip was ſo long of getting word; quhairfoir I craue your guid lordſhip to haue me appardonit. Praiſit be God, albeit the word hes bene long of comeing, it is good quhen it comes. I luik that my word and promeis gevin to Patrik Halcro ſall not be fullfillit: befoir it wer, I rather be in my graue. As to the reſt I haue in my hands, except Robert Stewart, [they] ſalbe hanged within twa days at the caſtell yett, with ſundrie vthers of the cuntrie men that war ring leaders to Robert, to the exemple of vthers. The number that ſall hang, that was in the caſtell, is twelue. I haue ſent Robert Stewart, and Patrik Halcro to Caſtell Sinclair, to be ſuirlie keipit thair, till I haue done all that your lordſhip hes gevin me commiſſioun for. Now, ſince the ſeruice is done, I haue no pleaſour to byd heir, for the wedder is both euill and variant, and ſo is the people; for he that wold rewle heir, hes both neid of wit and mandheid, and manie ears and eis. Quhair your lordſhip willes me to conforme all my actiounes to his maieſties mynd, I hoipe in my Sauiour, neuir to do, ſay, nor think, that ſall be offenſiue to his maieſtie. Befoir willinglie I did any thing that war offenſiue to his maieſtie, I rather be buried quik. As to this peece of ſmall ſeruice, I think it bot ane beginning; bot giue his maieſtie haue ony ſeruice of grittar importance, I houpe ather to die or giue his maieſtie, ane grittar pruiffe of my affectioune and luife. Thanking your guid lordſhip

for the grit cair your lordſhip hes had that I fould wante nothing that fould furder this feruice in my hands, I can render your lordſhip no farder then the aſſuirance and continewance of my feruice, as I ſall euir remaine

Your awin,

[Caithnes.]

Kirkwall, 7 October 1614.

Indorſed by Lord Binning:

"Copie of the Erle of Caithnes letter to me.

"Reff. 15 October 1614."

CXII.—ANDRO MARTIN TO LORD BINNING.

My Lord,

Since your lordſhip examined me ſo ſickerlie vpoune my intelligence concerning the grund of the rebellioune begun in Orknay, be Robert Stewart and Patrik Halcro, and gart me ſwear to be plaine, your lordſhip will excuſe me that foryet this: Quhen Robert and I was in conference on a tyme, he ſaid that gif his father had bene willing, and vſit the counſell of vthers, quhen he was in Edinburgh Caſtle, he might haue cumd away, for thair was men anew offerit to haue cumd or ſente men with him to Orknay; but he would not cum away, becaus he durſte not brek waird. I ſpeirit how many he might haue gottin to haue cumed with him? He anſuerit, four or fyue thowſand, giue he had pleaſit; bot he tauld me not quhat men thay war. Of this I thocht good to mak your lordſhip advertiſment, for faiſetie of my aithe; and hopes that your lord-

ſhip will interceid for me, that be his maieſties clemencie, I may be remittit for being with Robert in companie all this vnhappie tyme of miſerie, I beand aged and depauperat, able to die be hungar, giue I had not gottin helpe be him in meit and drink ; bot I nevir buire airmes, maid muſters, nor watched againſt his maieſties lieuetennent, efter I hard of his purpoiſe. This I referre to your lordſhips gud diſcretioune ; and gif ony vther things ſall cum to my memorie quhilkis ar omittit at the preſent, I ſall aquent your lordſhip thairwith. He ſaid alſo, that quhen thay ſpak with Sir James Conneill, that Sir James wiſſit himſelffe to be at hame, and the Erle of Orknay to haue bein in Orknay, to do for thameſelues; the ane in the weſt, and the vther in the northe. So, confeiding in his maieſties clemencie and your lordſhips affectioun toward me, I reſt.

Edinburgh, in waird, the tent
of October 1614.

Indorſed by Lord Binning :

" Copie of Andro Martins letter
to the Secretar.

" 10 October."

CXIII.—ARTICLES SENT BY THE EARL OF CAITHNESS TO THE LORD SECRETARY BINNING.

1. Pleas your honorabill lordſhip to reſolue and direct, quhat ſall be done with the caſtel, which is now in my cuſtodie, whvther it ſall be repairit or demolyſhed.

Thocht it be ane ornament for the towne of Kirkwall, and may be eſteemed ane place of refuge and ſecuritie for the holl cuntrie in tyme of forrane invaſions, if any ſould happin to be; yitt ſince it is nather neceſſar for any ordinarie ſeruice of his maieſtie, nor ane hous fitt for the habitatioun of his maieſties officiars, and may be mor eaſilie taken be forren foes, in cais they ſould inveid, then recouered agane from them, I remitt it to your lordſhips wiſdome to conſider what ſalbe done with it.

2. Pleas your lordſhip to giue ſome directuoun for government of their people. The preſent officer, the ſherriff deput, is hated to the death, be all ſortis of men, is of no ſufficient qualities for ſuch a place and office, and by his former evill demanor, is ſo contemned of the baſeſt, that he ſall neuere, by all apparence, recouer credit, authoritie, and regaird hier; yea, iff he remane hier efter me, he is in danger of his lyff, and ſome new broyll may arryſs.

3. Thocht ther be great ſpoyl and loſſe of horſe, cattell, ſcheip, boatis, and now of armour, which belonged to his maieſtie, your lordſhip wol be pleſed to giue directioun quhat ſalbe done with that which remains, and may be recouered from vnjuſt deteiners, that his maieſtie be not defrauded and hurt.

4. For Birſay, which was the place whence thes trubles did ſpring, your lordſhip may be pleaſed to conſider, whither it ſalbe demoliſſched, or keiped with ſome allowance, and be whome.

5. The ordinance, which is in the caſtell and yeardis, in number, 8 of braſe, and ſax of irone, ſalbe, God willing, tranſported vpone the ſchippis, with all the armour which can be had.

6. Robert and Patrick Halcro ſalbe keiped and brocht with myſelf.

CAITHNES.

Indorſed by Lord Binning:

"Copie of the articles ſent be the Erle of Caithnes to the Secretar, to be reſolued be the Counſall.

"Reſaued 10 October 1614."

CXIV.—KING JAMES VI. TO LORD BINNING.

James R.

Right trufty and right welbeloued counfellour, wee greete yow well: Whereas wee have deliuered to Archebald Campbell, figned with oure hand, ane oppen and patent warrant, direct to oure counfell there, commanding them to give prefent order to putt in execution the dome and fentence, in manner, forme, and effect, as the fame wes pronunced againft Sir James Makoneill, knight (now oure prifoner in Edinburgh), by oure Juftice and his deputies, at the tyme of his araignement and conuiction of the trefonable crimes conteaned in the dittay and proceffe therevpon led againft him; notwithftanding, forafmuch as it is not oure meaning that the fame fhould be fo fummarlie performed: Thefe are, therfor, to will yow, in oure name, to require oure counfell, whenfoever the faid warrant fhalbe deliuered vnto them, to furceafe and delay the execution thereof, till, aduertifeing vs of the fame, they fhalbe certified of oure further pleafure; and, yf it be requefite, yow fhall produce before them thefe prefents, wiche fhalbe to yow and them, in that behalf, a warrant and difcharge fufficient. And fo wee bid yow farewell. From our Courte at Roifton, the 17th of October 1614.

To oure right trufty and welbeloued counfellor, the lord Binning, oure Secretarie of our kingdome of Scotland.

Indorfed by Lord Binning:

"Reff. 25 October, 1614.
"His Maieftie, anent the ftay of the execution of the fentence of death aganis Sir James Makoneill, whill his Maiefties farder pleafour be knowne."

Vnder his Majeftys Seal.

CXV.—NOTE OF THE CONFERENCE HAD BE THE SECRETARE AND ADUOCAT WITH THE ERLE OF ORKNAY,

October 22, 1614.

Mv lord aduocat and I repaired to the caſtell of Edinburgh, to the erle of Orknay, and declaired to him that we had commandement from his maieſtie, to examine him vpon the cauſes of the rebellion of Orknay. He declaired, that he wes innocent, and ignorant thairof; that Sir James Stewart came to the caſtell of Edinburgh to him, and ſchew that his ſone Robert wes gone to Orknay, whoes actions thair, might breid offence to his maieſtie, and danger to the erle: Who anſuered, that want of meanes had forced Robert to gang thair, to vplift ſum reſtis of the tennantis dewties auchtand to the erle, to help to ſupplie the erles wantis and his owne; that, ſince it wes evill tane, he wald wryte to Robert that he might retire furth of Orknay, deſyring, that Sir James wald cauſe convoy his letter to his ſone, and command his doars to giue ouerſight to Robert, to tranſport him ſelf to Caithnes; that he neuer wrait any vther letter to Robert ſince he went to Orknay.

It being replyed be ws, that efter Robert had tane Birſa, and diſobeyed the chairge vſed be the ſhiref depute to rander that houſe, vnder the payne of treaſon, he had writtin to the erle; who, having reſſaued his letter from Duncane Mitchell, poiſt, he had writtin bak to him with the ſaid poiſt: He denyed the wryting of any ſuch letter to his ſone; and when he ſaw his ſeruand, John Schairp, of mynd to wryte to Robert with that poiſt, he had diſchairged him to wryte; and that Schairp had deſyred him not to find fault, that he might ſend his owne privat letter, anſuering to that which he had reſſaued from Robert; bot that nather Schairp nor Mitchell, being broght to his preſence, wald ſay any thing to the contrarie of this his declaration: Which is the ſubſtance of all that he wald ſay to ws in that poynt; adding, that no thing proceiding from him had occaſioned the rebellion; bot that the extreame rigour, vſed be Maiſter John

Finlafon to the cuntrie people, and the wrong intended be Maifter John to the cuntriemen, who, with great hafard of thair lyves, had forced the pirates, and tane thame and thair fchip, had difpofed thame to rebellion; and that thay had perfuaded Robert to affift thame aganis Maifter John Finlafon, and to be head to thame in thair interpryfes.

Being demanded, what condicion he had maid to Patrik Halcro for his joyning in this rebellion? Denyed that he knew him familiarlie, or euer had to do with him; and that no thing had moved Halcro to mell in thefe turnis, bot his great affection borne to Robert, his fone. Farder, we could not induce him to grant, in any circumftance, of the proceidings of his fone in his rebellion. We declaired to him, that what he concealed of the cairiage of this interpryfe wald be detected be his fone Robert, John Schairp, and Mitchell, who wer all in hands; he anfuered, that he wes confident that thay could fay no farder nor he had declaired to ws.

[22d October 1614.]

Indorfed by Lord Binning:

"Note of the Conference had be the Secretare and Aduocat with the erle of Orknay."

CXVI.—LORD BINNING TO JOHN MURRAY.

Sir,

This gentilmans affaires preaffing him to tak journay to court, and wanting the helpis and hopes of his wounted addreffe, he hes defyred me to interpone my requeaft for your fauour to him, in his honeft adoes. He is not to mak fute for any vther mans preiudice, nor to importune his maieftie with petitions, bot to rander accompt of his feruice,

and mak anfueir for him felf, incaice reportis haue bene maid to his difaduantage. Your help to his acceffe, and his maiefties gracious heiring, will be his cheif defyre, vnles vnexpected occafions furneis him buffines. And becaus I am bund to him in all the dewties of freindfchip, and am affured that he will be honeft and thankfull to thefe, who, be thair kyndnes, fall obleis him, I am the more bold earniftlie to recommend him to your fauour. If any to whom yow ar formerlie, or more neirlie bund, haue intereft in any mater that may concerne him, your power wil be als great ouer him as thame, for removing fuch controuerfies, be your difcretion. So, hoping that this my requeaft, and the bearers wourth and fufficiencie will procure him your fauour and help, and to yow his faithfull and conftant thankfulnes, I commit yow to God, and reft

Your moft loving freind, obleiffed to obey yow,

Binning.

Edinburgh, 4 December [1614?]

To the right wourfchipfull John Murray
of Lochmaben, one of his Maiefties
Bedchamber, at Court.

CXVII.—LORD BINNING TO JOHN MURRAY.

Sir,

Be my laft letter I promeifed to let yow know how I fould proceid with my Lord of Scone, and the Bifchop of Galloway. I haue fpoken with thame at lenth. My Lord of Scones proiect is, that yow may obteane ane few from his maieftie of the Lowmonds, vpon ane eafie dewtie, fince thay haue not bene of his maiefties rentall, whairof he hes pro-

meifed to let me haue the ouverture in writ; efter confideration whairof, I fall let yow know what I can vnderftand of the furetie or commoditie thairof. The Bifchop of Galloway and John Gib ar both in this towne, perfyting thair fecurities; which being ended, the fundations and regifter of the Chapell royall will be deliuered to my Lord of Galloway, who hes promeifed to mak yow all the furetie he can, of any thing being in his power. I fchew to him how yow wer vfed be my Lord of Garlies. He fayd, that he knew and difallowed findrie of his formes, and wald gladlie have forborne to do him fauour, if his maiefties letter, and the refpect to efchew fclander, had not forced him to giue him condicions of the teynds, to which he wes kyndlie. At his defyre, I fpak to my Lord of Glafgow to have concurred, to except your vaffals teynds owt of the tak to be fet to the Lord Garleis, bot thay could not find any reafonable pretext for it. For your Irifh affaires, I can wryte no thing, being ignorant of the eftate thairof, bot be report. I heir that the bifchop of the Iles is to repaire to court, be whom yow may try thair wourth, for it is faid that the fame is well knowne to him. So, wifhing yow much happines and contentment, I reft

Your moft affectionat freind at command,

BINNING.

Edinburgh, 17 December [1614?]

To the right wourfchipfull John Murray of Lochmaben, one of his Maiefties Bedchamber, at Court.

CXVIII.—THE LORDS OF COUNCIL AND SESSION TO KING JAMES VI.

MOST GRATIOUS SOUERANE,

WHERAS the accuftomed tyme off the ryfing off the winter feffioun wes vpoun the fyftene day off Marche yearlie, and the fame did not

ſitt doun befoir the fyftene of Maij thairefter; notheles, it wald prove eaſie and proffitable for the lieges, yff our ſitting ſould continew, vntill the laſt off Marche euerie yeare, and the vacatioun tyme ſould indure vntill the firſt of Junij. Speciallie, in regaird the Witſounday terme, whiche, by your maieſties commandiment, hath ſum dayes exemed from ſitting, maketh a great interruptioun in the adminiſtratioun of iuſtice; wheras, if the vacance ſould continew induring the haill moneth off Maij, the ſaid feaſt of Witſounday wald moſt vſuallie fall within that ſpace, and ſo the lieges micht ſo muche the better, and more convenientlie, attend the diſpatche off thair affaires in the tyme off the terme. And ſo, yff it may ſtand with your maieſties gratious pleaſoure to allow heiroff, we haue heirwith ſent vp a forme off ane article to be ſigned by your maieſties hand; vpoun returne wheroff, we ſall giue ordour for the dew and ſpedie publicatioun thairoff, at all places neceſſarie: And ſo, humblie kiſſing your maieſties ſacred hand, and praying the Almightie God long to preſerve your maieſtie with all increſce off honour, health, and happines, heir and elſwhere, we reſt

Your Maieſteis maiſt humble, faithfull, and dewtifull
ſubiectis and ſeruitouris,

Al. Cancellſ.	Quhittingham.
Binning.	A. Hamilton.
Jo. Preſtoun.	L. Craig.
R. Cokburne.	Alexr. Hay.
J. Cokburne.	A. Drummond.
A. Hay.	G. Murray.
W. Oliphant.	Sr. J. Skene.
Kilsayth.	Maircairney.

Edinburgh, 23 December 1614.

To the King his moſt ſacred and excellent
Maieſtie.

CXIX.—LORD BINNING TO JOHN MURRAY.

SIR,

I EXPECTED the cumming heir of the Bifchop of Galloway, to ane meitting of the whole bifchopis, be appoyntment of the Archibifchop of Santandrois; and expected that, be his meanes, my lord of Scone might have learned the certantie of findrie of the archideanes fpeaches, for I beleve his father repeated fum of thame to the Bifchop of Galloway. My lord of Gairlies wes to have bene in this towne, bot his wyfes feiknes maid him to returne hame, till he fould fie what fould become of hir difeafe.

When James Makeullo reffaued my letter, willing him to try the veritie anent the wrong done to the place of Broughton, he wes not neir that pairt off the cuntrie; bot he hes promeifed, be his letter, to do his exact diligence, and to aduerteis according to the trueth of his tryall.

The ftorme hes impefched the convening of the moft pairt of the bifchops, fo that my Lord of Galloway is fcaircelie expected, nather is thair certantie of my Lord of Glafgows cumming this oulk; bot be ane letter, which I latelie reffaued fra him, I vnderftand that he is greived with his collegues vndewtifull behauiour to yow, and that he intends to remayne conftant and thankfull for your kyndnes.

Yow will vnderftand, be letters from my Lord of Scone and Baluaird, the conferences paft betuix thame and the Archibifchop of Santandrois, concerning the Perfon of Dyfert; which bewryes fuch dealing, as no honeft man wald do or allow, fince he nather can alledge any mifbehauiour in the perfon, nor will giue him ane teftimonie of his dewtifull behauiour, albeit he confeffe it to be true and notour; bot remeid will be fund for that. Alwayes, it is certane, that if his maieftie permit liears to columniat honeft men, and put not the authours to the pruif of thair mifinformations, he will bring vpon him felf great vexation; and fum of his beft fubiectis may be iniuftlie wronged, without hope of redreffe, if the authours of the mifreports fall not be maid knowne, nor thair fpeaches put

to tryall. Bot, hoping that his maieſtie, in his ſingular wiſdome, will prevent ſuch miſcheiffs, I commit yow to God. Edinburgh, 26 Januar [1615?]

Your truelie affectionat freind,

BINNING.

The Archibiſchop of Santandrois hes paſſed ane dangerous fit of apoplexie. It is ſupponed that ane new aſſault may be more difficill to put af. If his place vaik, and his maieſtie might be pleaſed to mak Glaſgow his ſucceſſour, and promoue Orknay to Glaſgow, it wald recompens thair knowne merite, and gude ſeruice, incourage vthers to imitate thame, and reduce the churche gouernement to that happie eſtate, which his maieſtie hes long wiſhed, be the wiſdome and godlie exemple of theſe wourthie men.

To the right wourſchipfull John
Murray of Lochmaben, one
of his Maieſties Bedchamber,
at Court.

CXX.—LORD BINNING TO JOHN MURRAY.

SIR,

As be your letter yow deſyred, I haue bene moſt curious to learne Maiſter William Murray, the Perſon of Dyſerts behauiour and profeſſion of his dewtie and reſpect to the biſchops, and of his opinion of the preſent Churche gouernement; and have fund it moſt faithfull and dewtifull, not onlie be the report of gentilmen of the beſt ſort, to whom

his actions ar well knowne, bot alfo be findrie bifchops, who beare him witnes of finceritie and gude conuerfation, and that he hes neuer fwairwed in his obedience to thame, and concurrence to the eftableifment of the prefent difcipline. This being my privat tryall, it wes confirmed more publictlie and be better warrand, vpon Friday laft, at ane meiting of ane number of the counfall, with the Archibifchop of Glafgo, Bifchops of Dunkell, Caitnes, Dumblane, and Orknay (the reft being hindered to cum be ftorme, and Sant Androis be feiknes). When we wer convened, the perfon of Dyfert gaue in his fupplication, regraiting the wrong done to him be report to his maieftie, that hes fince his laft returne from England profeffed him felf oppofite to the prefent gouernement of the churche, and to the authoritie of bifchops, it being true that he wes broght vp be ane bifchop, and from his youth had euer thoght thair authoritie neceffar, for the ordour of churche gouernement, and fince his maieftie began to aduance that gude courfe, no man in this kingdome of his eftate had bene more reddie or conftant in fynodall and generall affemblies, and all vther places, to giue his profeffed and faithfull concurrence for acknouledgeing, eftableifling, and obeying the bifchops, nor he had done; becaus he thoght it his dewtie to God, his king, and cuntrie; and thairfore defyred that he might be tryed be that number, and aither puneiffed, if the report wer fund true, or if it wer tryed fals, as he wes confident it wald be, he might be fauoured be the teftimoniall of the counfall and bifchops. It wes anfuered be the counfall, that albeit his gude behauiour and faithfull dewtie in that mater wes notour to thame, yet thay wald forbeare to vndertak the tryall of it, becaus it wes competent to the bifchops, to whom thay wald refer it, being affured that thay wald proceid juftlie thairin: The which, all the bifchops then prefent promeifed to do, without delay, acknowledgeing the notorietie of the perfons dewtie in his loue and obedience to thair eftate, and regraitting that any man fould have bene fo imprudentlie malicious, as to have wronged that honeft man, by ane report, not onlie wanting trueth, bot contrare to all probabilitie.

I vnderftand that my Lord of Scone and the Laird of Baluaird fpak with the Archibifchop of Santandrois, and hard of him fum fpeaches which I will be loath to beleive, and will forbeare to expres thame for the reue-

rence of the place whairwith his maieſtie hes honored him. I pray God he had bene and may be cairefull to honour it, if he onerput his preſent infirmitie; and if it pleaſe God he die, that his maieſtie may mak that choice of ane ſucceſſour to him which may beſt agrie with Goddis ſeruice and his owne; for it is manifeſt what diſgrace and miſcheiſ may enſew of vnwyſe, vnhoneſt, or vngodlie behauiour in ane man of that rank, and no leſſe notour, how greatlie it may availe to the eſtableiſment of religion, that godlie, wyſe, faithfull, and well affected men to his maieſties ſeruice be ſetled in ſuch rowmes. Of this I will not preſume to wryte at this tyme to his maieſtie, bot will ſay to yow, vpon my ſaluation, that I am perſuaded, if Glaſgo and Orknay wer aduanced to the firſt places in the clergie, I think he ſould be als wourthelie ſerued be thame in thair eſtate, as be any ſubiects in his dominions, and many wald giue thair concurrence to wyſe, conſtant, ſecret, and faithful men, who will declyne all aſſociation with men who want theſe graces. Bot thir thinges muſt be remitted to his maieſtie, who, no dowt, will reſolue more wyſelie, and do better in pourpoſes of this conſequence nor we can conſaue. So, wiſhing yow health and happines, I reſt

Your moſt loving freind at power,

BINNING.

Jo. Murray.

CXXI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

PLEIS YOUR MOST EXCELLENT MAIESTIE,

THAIR wes preſentit vnto ws, a ſignatour exped your maieſteis hand, in fauouris of Sir Johnne Lindſay of the Bathe, knight, granting vnto him, during his lyffe, the keeping of the moore of Moorerowmond,

and preferving of your maiefties gayme thairin, and thairwithall pouer to call and perfew euerye fuche perfone, who hes tilled and convertit ony pairt of the faidis boundis, in making the fame thair proper landis, with the gift thairwith alfo vnto him, of the leveying of all fuche penalteis, as ony of thefe delinquentis, in the courfe of law, haif incurred by reafoun of thair faid wrangous intrufioun. Whilk fignatour, belyke haueing bene procured by fome importune fute, hathe bene drawne vp noway after the ordinair ftyle and forme, fo as in dewytie we could not bot mak ftay of it, vntill your maieftie wer certifyed thairof, for as anent the perfute of fuche as haif encroitched vpoun that moore of Moorerowmond, in vfurping ony pairt thairof, and by tillage, or vtherwayes, making it thair propirtie, the fame can by no meanes be better profequuted, then at the inftance of your maiefteis aduocat (who will not be in that, or ony other poynte of his dewytie, any way wanting), and yf ony will informe, and give goode euidence againis fuche as haif tranfgreffit in this poynte, your maieftie may be pleafit, for thair overture maid, and thair panes and chargeis whiche the profequuting of the bufynes will enforce, to allow vnto thame fome reafounable proportioun of confideratioun, furthe of the benefeit, whiche will aryife oute of thefe penaltyis, whiche by law importe, no lefs then the forfaite of his landis, who offendis heirin; whereas, the geving to ony privat fubiect a commiffioun in this kynde, by daylie experience, proveth to be troublefome to the cuntrey, geving mater vnto thefe who ar imployed, according as thay ar difpoifed and affected, to grant connivance and ouerfight to the greateft offendours; and vpoun otheris, of whom the moft parte perhaps may be innocent, to vfe fuche hard formes in continuall citeing and troubling of thame, as it comes litle fhorte of manifeft oppreffioun, wherewith your maiefties counfell (as being thairof ignorant) can noway tak ordour, the pairtye wronged making choife rather to compone then to compleyne. And, thairfoir, yf it may ftand with your maiefteis goode and gratious pleafour, at ony time, when ony fuche futes ar preferred, before the granting of thame, to refer the confideratioun of the equitie and iuftnes of the demand to your maiefteis comfaill heir, your maieftie fould be freed of muche importunitie, and our prefent greif removed, that we fould mak ony halt in

expeiding of that, whervnto your maieſtie hathe ones ſett your hand, whiche nottheles, in this caiſe, we ar forced vnto, bothe for diſcharge of oure dewytie, and freetheing oure ſelffis of your maieſteis iuſt reprooffe heireſter. Alwayes ſubmitting our ſelffis wholie to your maieſteis moſt excellent iudgement, by whiche, as the loadſtone in all our actionis, we ar deſirous to be direct, we humblie pray God to grant vnto your maieſtie a lang and happie reignn, and we do reſt for euer

Your maieſteis moſt humble and obedyent
ſubiectis and ſeruitouris,

AL. CANCELLS. G. MURRAY.
BINNING. ALEXR. HAY.
GLASGOW. A. DRUMMOND.

Edinburgh, 28 January 1615.

To the King his moſt facred and
excellent Maieſtie.

CXXII.—LORD BINNING TO JOHN MURRAY.

SIR,

I SEND this vther letter to yow, and the Perſons ſupplication, to the effect yow may ſchow thame to his maieſtie, or mak ſuch vther gude vſe of thame as may beſt availe your wourthie cuſing; aganis whom the malice of liars, and thair pernicious courſes, haue cheiflie bene intended; bot I hope his loyaltie, aſſiſted be his true freindis, ſall diſapoynt thair proiects.

The extraordinar ſtormes haue ſtayed the biſchop of Gallowayes cumming to this towne, and thairby will hinder my lord of Scone to try ſo perfytlie as neid wer, that whairof yow deſyre to be certified: Bot yow will

find that he who attempted that pourpofe, to your preiudice, will find als litill affiftance in it, as he had fcaircetie of gude counfall in the devyce, for I think all, or the moft pairt, of his bretheren will difavow him. My lord of Scone, and Baluaird, will wryte more particularlie, becaus the[y] have verie fpeciall warrand, from conferences with findrie who knew the trueth of all mens pairtis heir.

In the pourpofe of Eglinton, all will be done as his maieftie hes commanded, as yow will know be oure nixt letters, till which tyme I will fuperfeid to anfweir any farder to your letters of the 20 of this moneth; bot, with remembrance of my loving dewtie, commit yow to God. Edinburgh, 29 Januar [1615?]

Your obleifed and affectionat freind,

Binning.

To the right wourfchipfull John Murray of Lochmaben, one of his Maiefties Bedchamber, at Court.

CXXIII.—EARL OF DUNFERMLINE TO JOHN MURRAY.

Right Honourable and Weilbeloued Cousing,

Your letters of the firft inftant, concerning the finall end off the Earle of Eglintouns befines, came not heir before the 13 inftant. All that bifines is now (praifed be God), in all points, according to his facred maiefties will and pleafour, endit, and my Lord Secretair, in prefence of the Counfall, has deliuered to my lord his infeftment, with his fpeache, as he had in directioun frome his maieftie: Wee haue giuin baith to my Lord Secretair, and to my Lord off Glafgow, all thankis, and has teftified to thame baith, quhow far wee onderftand be yiow, this earand has been

aduanced be thair guid report and aduys. I will nocht extend me felf to gif yiow monye thankis, the earand itfelf, and the diuerfe toiles and facheries I haue had in it, bindis me to acknawledge myfelf in all deutie bound to yiow: this, I can affure yiow, thair is nathing contentis me mair in the haill courfe of this befines, nor that my fpeciall obligatioun for the guid fucces thairin, onder his facred maiefty, is to yiow onlye;—quhat neidis mair? Friendis and kinfmen as wie are man daylie be doand to otheris all guid offices thay can, eurie ane in his vocatioun, place, and calling: reckin, ye may fpend me as onye yie haue maift powar off.

I fend unto yiow herewith, ane letter to his maift facred maieftie, quhilk I pray yiow deliuer, and as yie may, retiere agane, becaufe I defire nocht my letter to his maieftie to fall in menye hands; it is nothing els but my purgatioun of thatt imputatioun laid on me, off onye articles or directions I fould haue fend with George Grahame to the rebelles of Ila, I hoipe it fall fatiffie his maiefty, and yiow, and all my friends, for I went na farder in that, as my letter beiris, nor for the relieff off the prifonars, quhilk I am certane nane will think bot werie guid feruice; and, fpeciallie as maters ar fallin out in rigour, for I wald rather haue bein in debt of 20 thowfand to thame, or to onye, or the prifonars had bein in thair handes quhen his maiefties force came thair, for thair harme could nocht haue been bot difpleafant to his maieftie, and difhonrabill to the haill countrie. This, I man entreate, that cair and affiftance that yie will trie be Vrchill or onye other, quhair George Grahame is, that he may be examined, for he is prefentlie thair at Court, or at Londoun. Latt it nocht be knawin quhairfore he is defired till he be prefented. Latt him declair all he knawis, and eurie mannis pairt.

I haue alfo includit in the faid leter, my humbill and hartlie thankis for this preferment to my nefuieu Eglintoun. I haue no farder for the prefent, bot to remember my hartlie kindnefs to your good half-marrow. Sua wiffing yiow baith all happinefs and contentement, I refte

Your maift affectionat coufing to
ferue yiou,

DUNFERMELYNE.

Frome Edinburgh, 16 Marche 1615.

This our langſum and faſhious beſines of Eglintoun being now, be yiour mediation, wrought to ſa guid end, yie will doe me ſingular pleaſour be yiour guid commoditie, to lat me knaw quhat was our greateſt lattis or impedimentis, or quha was our greateſt corſeris.

To the Right Honorabill my weill-
beloued Couſen, Jhone Morray of
his ſacred Maieſtys Bedchalmer.

CXXIV.—THE EARL OF DUNFERMLINE TO KING JAMES VI.

Maist Sacred Soueraine,

I can na-dayes ſufficientlie declare vnto yiour maieſtie the greatte contentment I haiff reſſaued be yiour maiſt princelie letter of the firſt of this inſtant, albeit the ſame conteyne ane challenge and accuſatioun of great owreſight and onworthy dealing in me, gif I had ſua proceedit in George Grhaymes traſique for the Laird Ramfurdlie, and Biſchope of the Iles, his ſonnes libertie, as the informatioun and articles geiven to your maieſtie, as proceiding from me, beiris. Whereanent, to clear and reſolue yiour maiſt gracious maieſtie at ane word, as yiour highnes declairis in yiour awin letter, yee could nocht eſteeme theeſe articles to be other nor ſals and ſuppoſiticious, of thair awne inventioun, whairein I haue fund great joiye that yiour maieſtie ſould ſua cleirly tak up and conſaue the ſinceritie of my mynde. I certifie yiour ſacred maieſtie, on my faithe, honour, and on that deutie of treuthe and fidelitie I aucht to yiour majeſtie, I gave nather theeſe directiouns or articles to George Grhayme, whereoff yiour maieſtie ſend me copie, nor nayne other directioun or article at all, ather be woord or wreitt, other nor this ſimpill directioun be tung allenarlie, (for I refuſed to giff him any writt, in regaird all dealing was onlie betuix him and me), to uſe any lawfull meanes he could, be anye

good addreſſe or dexterritie, to releave the twa gentilmen priſſoners, whilk, giff he could be anye meanis attayne to, I promeiſt to be his debtour, and ſua ſoone as he ſould preſent to me the ſaidis priſoners, or ſure aduerteiſment and teſtificat of thair freedome and libertie, I ſould deliuer to him reallie ane thouſand merkis, for his charges and recompence: farder he had nather directioun, article, nor promeis, of me. And this I obſerued maiſt preceſly to him, for ſua ſoone as he returned hayme, I maid him inſtant payment of the ſoume promeiſt; whilk yiour maieſtie hes ſenſyne maiſt royallie cauſſed yiour theſaurar here reſtore againe to me. The wtter veritie of this, I hope yiour maieſtie ſhall haue werie good opportunitie and occaſioun to trye, at this preſent inſtant; becauſe I onderſtand, the ſaid George Grhayme is preſentlie ather at Court, or at Londoun, for he went thair from this 20 dayis ſence. Be the Laird of Vrchill, I think yiour maieſtie may eaſilie haiff inquiſitioun of him, and mak him be examinat heirupon: And gif he ſay anye farder, or otherwais, contrair to this, my declaratioun, as I think he ſhall nocht, yioure maieſtie may cauſe him be ſend hayme; for I think Angus Oig ſhall be heir ſchoirtlie preſented be Caddell, and be thair confronting, wee ſhall find out the haill veritie. Beſide that, gif he wald alledge he had anye ſic directioun from me, he ſhould ſchaw my hand writte, whilk he will newer be habill to doe, nor of nayne apperteynis to me, in onye degrie or reſpect; and this I hope ſhall fatiffie yiour ſacred maieſties heyht and juditious conceptioun, for my purgatioun of any ſic imputatioun: I war ane onworthie man, et me ipſo judice, woorthie of all rigerous puniſchement, gif I had committed ſua lourde ane faulte againis a prince, his honour and dignitie, after ſua lang apprentiſage and training up in yiour ſacred maieſties ſchoolle of honour, in ſua mony and ſua honorabill chargis, and imploymentis, as hes oft pleaſed yiour majeſtie honour me withe; and wharein I thank God, and your highnes clemencie, and fauorabill interpretatioun, I haue hitherto till euer geuin yiour maieſties reaſonabill contentment and fatiffactioun. This may not mak me forgett nor omitt my deutie, in all humilitie and thankfulnes of hairte, to acknowledge yiour ſacred majeſties greatte bountifulneſs and gracious diſpoſitioun, in granting to my nefuieu, (whome I may now, be yiour

facred majefteis fauour and permiffioun, ftile Earle of Eglintoun), that honour and dignitie, whilk fua manye of his predeceffoures enjoyed, and whairbye thai haue done to yiour maiefties maift nobill progenitours good and acceptabill feruice; I hope in God yiour majefty fhall find him prowe nather onwoorthie nor encapabill of yiour royall fauour, as your highnefs may haiffe occafioun to imploye him. Sua, wifcheing to yiour highnefs, from the King of all kings, a lang and profperous regne, withe the fubmiffe kiffe of yiour royall hand, reftis

Your maift facred maiefties maift humbill and obedient
fubject and feruitour,

DUNFERMELYNE.

Edinburght, 16 Martij 1615.

CXXV.—LORD BINNING AND SIR GIDEON MURRAY TO KING JAMES VI.

MOST SACRED SOUERANE,

As your maieftie wes pleafed to command Sir Gedeon Murray and me, we haue diuers tymes delt with the fchiref of the forreft for renunciation of his heritable office, and I haue affured him, that your maieftie wald not mak the conuerting of his halding of his landis from waird to blenche ane pairt of his fatiffaction, bot wald rather content him with money, nor yeild to ane preparatiue, which might incourage others to importune your maieftie with futes for fuch conuerfions, which your maieftie wes refolued not to grant. And fo, having vfed the beft reafons we could to perfwade him to be content of ane reafonable pryce, we haue with difficultie broght him to accept of tuentie thoufand merkis; and tolde him that he had not to expect reddie payment of the whole,

bot be portions, at fuch termes as the great burdingis of your maieſties coffers might permit; and to moue him to this, haue promeifed humblie to requeaſt your maieſtie to grant him the fie of fyue hundreth pundis, which he hes for his feruice, as one of the commiſſioners of the Middlefchyres, converted in ane lyfrent penſion, vpon condicion that he fould ferue now, and in all tyme cumming, when thair fould be vſe of fuch feruice, during his lyfe. We haue thoght that his fatiffaction might be the better performed with tyme; that fex thoufand pundis is faued of the precept of thrie thoufand pund ſterling, granted to the lord Gray, for his fchireffchip; and that the eafe of his pryce might be ane argument to bring others, who might be heirefter delt with for renunciation of the lyke offices, to be content with moderat fatiffaction. If your maieſtie allow of this appoyntment, it may pleafe your maieſtie to ſigne and fend downe to ws the precept fent heirwith, for his payment, and the ſignatour of his penſion.

Maiſter Thomas Knox broght ane remiſſion to Cole Makgilleſpik, which requyres to be renewed, becaus the former wanted the prouiſion for conſent of the officers. It is to be ſuſpected that the counſell will think the exemple preiudiciall, if he obteane remiſſion, withowt caution for obſeruing the peace in tyme cumming; and for his compeirance before the counſell, when he ſall be cited, becaus the Makgregours, and all vther notable rebels of the Hielandis, have bene bund to that aſſurance of their obedience. Bot if your maieſtie intend to grant him remiſſion, withowt that ſuretie, it feemes expedient that your maieſtie ſignifie your expres pleaſour, be your letter to counſell, for that effect. The way to bring Jura and Colanſa to your maieſties poſſeſſion, can not be ſo ſummarlie and ordourlie as be ſignifieing your royall pleaſour to Sir George Erſkin, who hath the right and poſſeſſion of thoſe Iles, be your maieſties gift to him, of the erle of Argyles lyfrent; and becaus ſmall beginnings of diſcontent, in that barbarous cuntrie, may breed more tumult nor the proffit of ſo much land, may import the good of any who may mak ſute to your maieſtie for any of thoſe two Iles, it appeiris convenient that your maieſtie command the counſell ſo to deale with ony who ſall craue that benefit, as all occaſion of trouble may be prevented, which we

humblie fubmit to your maiefties moft excellent iugement. And, prayeing God long to preferue your maieftie in perfyte health, and wifhed contentment, we reft

Your Maiefties moft humble, faithfull, and bund feruants,

BINNING.
G. MURRAY.

Edinburgh, 18 Merche [1615?]

To the Kingis moft facred Maieftie.

CXXVI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

PLEIS YOUR SACRED MAIESTIE,

ABOUT fome nynetene yeiris ago, thair wes mariage contracted betuix Gilbert Kennedy, then appeirand of Barganye, and Miftres Jeane Steuart, fufter to the lord Vchiltrie; in whiche contract the quenes heighnes, and your maieftie, for your entres, and the faid lord Vchiltrie, and vmquhill fir Williame Steuart of Tracquair, knight, become cautionaris for payment of the tocher thairin mentioned; the fame beareing ane expres claus of the releif of the cautionaris: And now of laite, Thomas Kennedie, now of Barganye, being the fone begottin in that fame mariage, hathe moved ane perfute for tranfferring of the fame contract, to the effect he may haif executioun aganis the heire of the faid fir Williame Steuart of Tracquair, knight, for recouerye of the tocher promifed be the faid contract, for the whiche he wes cautionair, as faid is. Wherupoun Johnne Steuart, now of Tracquair, heire, by progres, to the faid vmquhile fir Williame, and fir Robert Steuart, his tutour, by fupplicatioun

haif meaned thame felffis vnto ws; fheweing that the faid vmquhile fir Williame, his becomeing cautioun at that tyme, wes onlie at the particulair directioun of your maieftie, and your heighnes darreft bedfellow, whofe commandment wes euer vnto him a law (howeuir it fould haif bene with neuir fo grite hurte and lofe to his priuat eftate); and that, be the claus of releif contenit in the contract, it appeareth verye weele, that it wes nevir intendit that he fould be diftreffed for the fame. And, thairfoir, by thair fupplicatioun intreating ws to certifie your maieftie heirof, that fome courfe may be tane to frie thame of the event of this perfwite; whairupoun, we haif tane the bauldnes to acquent your maieftie with the trew eftate of the bufynes, referring to your maiefteis owne wifdome, what yow think fitteft to be done heirin: ffor as it noway becometh ws, in oure place, to be movearis of ony thing that may breid ane vnneceffarie charge or expence to your coffers, fo we could do no lefs in dewytie, then, whair your maieftie, and the quenes heighnes, ar perfonalie bound in the contract, for the releif of the cautionair, to mak your maieftie thairwith acquented; wherein, expecting fuche directioun heiranent as your maieftie fhall pleis returne, whiche fhalbe accordinglie obeyit, we pray God to preferue your maieftie in all happynes and felicitie, and we do reft for euer

Your Maiefteis moft humble and obedyent
fubiectis and feruitouris,

Al. Cancells.
Binning.
Jo. Prestoun.
A. Drummond.
Alex^r. Hay.

Edinburgh, 3 Aprile 1615.

To the King his moft facred and
excellent Maieftie.

CXXVII.—THE EARL OF DUNFERMLINE TO LORD BINNING.

Maist Honorabill Good Lord,

I write this to informe yiour lordſhip off ane extraordinar riott fallin out in this pairtis off late, to be imparted by yiow to his facred maieſtie; that, be his heighnes heigh wiſdome, the counfall may haue directioun quhow far to proceid in the correctioun off the fame. On the laſt fetterday, before Paiſe, the queens maieſties officiar off Domfermeling was direct, be hir maieſties chalmerlane, to execute preceptis off warning, to remoue upon the toun off Bruntiland, according to commoun ordour; quhilk was to byde the awin commoun courſe in law after, before the feſſioun, and was nawayis intendit to be uſed or execute to ony rigour; alwayis, vpon ſuim vane and proude preſumptioun, ſuim peopill of that toun was ſteired vp to reſiſt this warning be force and violence, quhilk was neiuer done yit to the meineſt ſubject in this cuntrie. Sua, quhen the officiar was executing this preceptis of warning, quhilk war ondir baith thair maieſties handis and ſignes, be the caſchiettis we haue heir to that effect, and thairwith alſo lettirs ondir his maieſtie ſigned for this ſame purpois; the officiar, at the corſe of the toun and other pairtis, being in execuitioun of his office, is, be ane multitude off weemen, aboue ane hundir, off the bangſtar amaſone kinde, maiſt oncourteſlie doung off his feitt, and his witnes with him, thay all hurt and bluidit, all his lettirs and preceptis reft fra him, reiuin and caſten away, and ſwa chaffed and ſtaned out off the toun. This done (clara luce), leitill before none, the peopill behalding ſuim magiſtratis, as is prouin be ſuim witnes going on the ſtreetis beſide; the bailzies awin wyf, principall leidar off this tumultuous armie off amaſones, na man could eſteeme bot a premeditat deuyſe

and plott laed doune, be policie and craft off men. Thairfore the counfall, for exact triell of fic ane infolence, called to thair iudgement a guid number of the maift factious of thefe weemen, be the officiars informatioun, and alfo the magiftratis and counfall off the toun, and fuim other honeft witnes. The day of this triell was the 26 Aprile, all compeired. The fact neidit no probatioun; it was granted be the weemen, and fuim mennis prefence prouin be findrie honeft witnes. The greateft was in the triell off the mennis advyfe, and hunting out of the weemen; to this mifbehauiour, albeit it could na otherwayis be, was be thame abfolutelie denied and manfworne. Neuerthelefs, be guid triell was fufficientlie prouin, the magiftratis of the toun, mony fpeciall off the counfall and greateft reulars, at this prefent, of that toun, to haue bein off the foreknowledge and aduyfe of this infolence committed be the weemen, and, in end, is granted be thame felfis.

In this triell and proceiding thair off, fallis out, that be examinatioun off all was participant to the fact, it is conftantlie deponed that Maifter Williame Watfoun, minifter, and quha indeid has bein principal reular of that toun this lang tyme, was participant to the foreknawledge and aduyfe to this infolente deid; quhairfore was thocht meit, and refolued be the counfall, he fould be fummond and examinat heirupon, the 28 of the fame moneth; quhilk day he compered. Lordis off counfall was almoft all away, nane prefent with me bot my lord erle off Cathnes, lord Prefident, lord Aduocat, and fir Robert Meluill, yioungar off Bruntiland. We examinat him in the beft and maift conuenient forme and termis we could: firft, he denyis onye foreknawledge at all of that purpois, or onye intention to the like; alwayis in end, preiffed be circumftancis and confrontatioun with others, quha had granted and confeft the fame (we being alwayis refolued to decerne him as conuict), he cumis to confeffioun and acknawledgement off his offence and ouirficht, declaris and profeffis a greate remorfe, to haue blotted his calling and vocatioun, in being onye wayis participant, and nocht refifting to that fact; requiris us to ufe that als moderatlie as wee could, in regaird of his functioun, as yie will parfaue be the recorde off counfall I fend yiow heirwith, ondir the clerks hand, off that mater. This

fua proceidit, wee thoght nocht expedient, in refpect of his calling and vocatioun, and reuerence wee beir thairto, to proceid farder; we commandit him to wairde within the toune of Edinbrough, till farder refolutioun fould be tane with him; difchairging him alwayis preaching, and reforte to prefbiterie, feffioun of the kirk, or onye other exercife nor preachings and prayers ordinar in the toun. Sua, wee continewed all farder till the nixt frequent meiting off the counfall, quhilk will nocht be before 17 May. Wee prefentlie wardit findrie fpecialls of Bruntiland, fuim in the toubuith, and fuim in the toun. The counfall will tak, God willing, fufficient ordour with all the reft. It is expedient and neceftair wee be fupplied, be the beamis of his maiefties prencelie wifdome, in directing us, quhat ordour wee fall tak with Maifter Williame Watfone, quhilk may be ather be his maiefties lettir to the haill counfall, or gef his maieftie will command yiow write to me quhat is his facred mynde, I fall be cairfull the fame be obeyed; and off this I requyre to haue fuim anfuer fra yiow, fa fone as yie may, war meit, if poffibill war, wee fould haue it before the 15 or 16 of May. Suim thing yiour lordfhip has writtin to me, 19 Aprile, be his maiefties command, anent fuim examinatioun off George Grahame, quha procuired the releiff off B. Iles fonne, and Ramfurlie, frome the rebellis off Ila. I haue writtin lang fence to his maieftie, in ane lettir off my awin, quhilk was deliuered be Jhone Murray, all my entrefs and pairt in that mannis proceidings, and all that was betuix him and me, and farder will neiuer be found off me in treuth; quhairin I think I did als guid feruice for his maiefties honour, and countries, as euer I could be habill to doe. The faid George Grahame had neiuer farder warrand off me, worde nor write, bot my naked promeis of ane thoufand marks to him felf, be my worde, in caice he releiued fafelie the twa prifonars. I think he fall neiuer fay farder. If he fay, I fall proue him fals; if he hes gone onye farder, it hes bein on his awin, or fuim other mannis warrand nor myne; latt him and thame anfuir thairfore, on thair parrell. I think, certanelie, I haue mair caufe to rejoyce and glore in all I did in that, nor rew the fame; and fua I perfuade myfelf his facred maieftie thinkis alfo of me. Quhateiuer

onye would ſay or mantein in the contrair, I ſall eiuer be cairfull off his maieſties honour and guid ſeruice, en deſpit des enuiants. Nocht hauing farder, for the preſent, bot to wiſh yiow all happines and contentement, reſtis

Your Lordſhips maiſt affectionat to ſerue yiow,

DUNFERMELYNE.

Frome Edinburgh, ultimo Aprilis 1615.

In cace it micht ſeeme I am too ſpairing in wryting ſa nakedlie off this purpois anent Maiſter Williame Watſoun, and nocht diſcharging the deutie of ane honeſt counſalour, and officiar, in declaring my awin aduiſe; for that yie ſall haue this, quhilk alwayis I ſubmitt hallie, and in all humilitie and affectioun, to his moiſt gracious maieſties cenſure and bettir iudgement. Sould be meit, his maieſtie ſould declair this to be his prencelie will, in his royall mercie; albeit, this offenſe be extraordinar and ſuperlatef, in a man off that calling; neuertheleſs, for reſpect to his lang ſeruice in ſa honorabill a functioun of Goddis miniſterie, quhilk heigheſt prencis, and wee all ſould ſa reuerence, the puniſhment to proceid na farder, bot in directioun to the archiebiſchoppe, his ordinar, to ſuſpend him hallie for certane ſpace, fra all uſe off his calling, in onye pairt; declair him onfitt to be a miniſter, in ſa frequent and public a place, and, in the meane tyme, prouide him to the miniſterie in ſuim other mair priuat and reteired pairt off the cuntrie; and ordeine that toun to be prouidit off ſuim miniſter off mair calme pairt, to reule and circumcide ſic haitt humours as may be in that peopill.

CXXVIII.—ARCHIBALD CAMPBELL TO LORD BINNING.

RIGHT HONORABELL,

As I writt to your lordſhip from the wode of Meſſen, Sir James M'Coneill and M'Ranald went by that way; and as I was informed, he had ſtayed Wedniſday night and Thurſday in Murthlie, ſo I heaving riddin Wedniſday night, and Thurſday all day, I watchit at Murthlie all that night, bot they made no ſtay thair, bot M'Ranald ſent a man of his for a young boy of his awin that he had in Murthlie, and convoyed him with him: On Wodniſday at night they wer in a pure mans houſe in Strabrane, and on Thurſday at night thay wer in the eaſt end of Ranoch, quher I might haue bene ſex houris before thame, gif I had bene ſertane of thair way. The Erle of Atholl was advertiſed be the Erle of Mar, and he folloued thame, and on Friday, in the morning, cam in ſight off thame; bot my lordes men had run ſo far, and his ſpayis that went before him, ſo wnprovedent, that Sir Jeames and his compane wer advertiſed be Strowan his wyff, quho is M'Ranald his dochter, they wer forſſed to leave thair horſſis and clothis, and take thame to the wodis. The Erle of Atholl apprehendit Sir Jeames his man, that was with him in the caſtell, and quho ſtayed efter him in the caſtell, that morning he brake ward, and too men of M'Ranaldis; bot my lord tels me he deſmiſt thame all.

My lord, ſo far as I culd learne, the erle was exceiding willing in this perſute, bot thair was ſum wrange done him, that I beleive his lordſhip yit knous not of. Thoſe that I ſent to be before thame ar not as yit returned, nor no word from thame. I hope in God your lordſhip ſall heir that thay haue mett, ffor thay can hardlie pas by thame. The Erle of Atholl aſſuris me, that thair cam a companie of men to meit M'Ranald.

My lord, if thair wer bot too hunder men, and ane honeſt commander on the feildis, they wer not eabell to do any thing be land, nor culd thay haue tyme to mowe any to follow thame; bot, in treuth, if thay be permittit, they will no dout grow ſtronge. Sir Jeames man, that the Erle of Atholl apprehendit, told that they reſoluit to burne Cadell his landis of Mukarne, and that he thoght a great many Illenderis wer on thair courſe. My lord, ſo ſchune as I heir from thoſe I derectit eſter thame, and that I kno quhat courſe Sir Jeames teakis firſt in hand, or quhich way he teakis him to the ſeie, I will, God willing, returne, not douting bot my Lord Theſaurer will haue ſum conſideraſioun of my peanis, as I ſall be reddie at all occaſiouns to adventer myſelf in his maieſteis ſeruice, I reſt

Youre Lordſhips ewer to ſerue yow,

Arch^D. Campbell.

From the Furde of Lyon, this
Setterday, at xii howris of
that day.

I pray your lordſhip adverteiſe Cadell that he may ſend word to his men of Mukarne to be war of the rebels.

To the Right honorabell and my
ſpeſeall good lord, my Lord of
Binning, Secreter.

Indorſed by Lord Binning:

"Archibald Cambell, anent his
perſute of Sir James Makoneill.

"Reſſ. 29 May 1615."

CXXIX.—LORD BINNING TO THE EARL OF TULLIBARDINE.

My very Honorable Good Lord,

I receaved this morning your lordſhips packett, and after reeding your lordſhips owne letter, I declared to my Lord Chauncellour what letters your lordſhip had ſent to me. His lordſhip conveyned the Archbiſhope of St Androis and the Lords Preſident, Deput Theſaurer, and Clarke of Regiſter, and in their preſence opned and red the letters ſent be Sir James M'Onell to your lordſhips ſelf, the Earle of Crawford, Biſhope of the Iles, and Earle of Caithenes. The ſubſtance of the letters are for the moſt part vniforme, ſo as the copie of his letter to your lordſhips ſelf will informe your lordſhip, that he intendis to his excuſe his breache of warde, for feare of his life, offering all obedience, yf he can haue ſaiftie and libertie, intending to ſend ane petition to the Counſell to be ſent be their addreſſe to his maieſtie. Since he proteſts ſo ſolemnlie and with great oathes, that he is innocent of the taking and holding of Duneveg, I am ſorie that he is ſo vnhappie as to have broken waird, for he had great experience of his maieſties clemencie, who, after his conviction of treaſon, for many odious crymes, did furceaſe all rigour, and give thereby hope to Sir James, rather to hope for marcie nor to take any deſperate reſolution. Yf any ſuch petition had come to the Counſells handis, as without offence might have bene preſented to his maieſtie, they wolde haue ſent it to Courte, bot his lettres are out of purpoſe. I am ſorie that he aggreged his maieſties wraith, be his breatch of warde, and that hauing committed that heighnous offence, it wes not his happines to go furth of his maieſties dominions, from whence he might haue more convenientlie made offer of his humiliation, but ſo long as he remaynes within his maieſties dominionis, and hes ſocietie and dealing with rebells and broken men, I can not expect that his petitionis can

be receaved be his maieſtie, vnles he wold do ſuch notable ſervice aganis ſome principall rebells as might perſwade his maieſtie to think him wourthie of mercie. My Lord Chauncellour hes promiſed to ſuperſeid your lordſhips actions till your coming here, at the tyme appoynted. Your bill is paſt for delay, that your lordſhip may called before breeves be directed at the inſtance of your partie. The Counſell acknowledgeis your lordſhips good diſcretion in the ſending of thir letters, and ar confident that your lordſhip will continew carefull and diligent, in everie thing that may concerne his maieſties ſervice, or good of the countrie. So, wiſhing your lordſhip all happines, I reſt

Your Lordſhips affectionat freind at command,

BINNING.

Edinburgh, 13 Junij [1615?]

Indorſed by Lord Binning:

"Copie of my letter to the Erle of Tullibairdin, anent Sir Ja. Makoneill.

"13 Junij 1615."

CXXX.—SIR RORIE M'LEOD OF HARRIS TO LORD BINNING.

MY LORD,

My hwmble dewtye, after all reverence and ſeruice remembered. In the beginning of Apryll, I left Edinburgh, and paſſed till Glaſgo to viſite my barnes, who ar at the ſchoole there, where I remained the ſpace of fyifteinth dayes; and thereafter, I paſſed till Striviling, and, going into

the toun, I mett my lord Fleming comeing out of the toun, who had a ledd courſhour beſyd, and I rydand on a other courſhour, both the courſhours brailes togidder; and I wes foreed to leave and fall of my horſe, where I brack two ribbes in my ſyd, and lay for the ſpace of xvth dayes, in Perth, vnder the cure of phiſik, and thereafter I reteired to my owne countrey. And, in the meantyme of my abſence, Coill Makgilleſpik, and his companie, come to the North Iles, and ſtoppet, the firſt night, at the Yle of Camis, and thereafter paſſed dereƈtlie to North Wyeſt, Donald Gorme his landis, where he wes reſeat, his men enterteaned, and Makintoſhes doghtar, Donald Gormes wyff, beeng for the tyme in that countrey, togidder with young Donald Gorme, Makkenyees good brother, ſend to the ſaid Coill, beeng ſcant of viuerſe, four horſe load of meat, in the whitche there wes two ſwyne, on ſalted, and one vnſalted: And the ſaid Coill, and his companie, wes perſwaded, moved, and requeeſted, by the ſaide Donald Gormes wyff, and young Donald, and clann Neill Vaine, the ſpeciall tenents of North Wyeſt, to paſe to a yle of myne called Zirta, a day and a night failing from the reſt of the North Yles, far out in the ocean ſea; and, to that effeƈt, dereƈted two of the tenents of North Wyeſt to be there guyd and pylat there, for they wer vnknowen thame felues there, and comeing to the yle, they ſlew all the beaſtiall of the yle, both kowes and horſſes, and ſheepe, and took away all the ſpoolyee of the yle; onlie reſerved the lyves of the enhabitants therof. And, when all wes done, they returned till North Wyeſt againe, where they randered there guyde and pyllats againe, and gave to the inhabitants thereof all and whole the ſpoyle of my yle; and afore my comeing to the yles, the ſaid Coill Makgilleſpik paſſed away ſouth to Ila againe. Now, ſence I perſave ſir James hes brocken warde and come to Lochquhaber, and out of that come to Moron and Knoddort, where he took perforce a young youth, the ſecund ſone of Glengarrie, on a worſe, and keepes him ſtill in cuſtodie, and the captanes ſone; and thereafter come to Sleat, to Donald Gormes bounds, where he gatt a bigg boat with oares, ſale and taikleing, and entereomoned, at lenth, with Donald Gorme there, and a nomber of Donald Gormes folkes of Sleat, called clann Tarlich, is gone with him: And thereafter paſſed till the Yle of Egga, where he mett Coill and his

companye, togidder with his bafe fone, and a fone of fir James MakSorle of the Route; and they ar in nomber, as I lerne, tuelfue or thretteinth fcore, at the prefent tyme, and whidder they go fouth or north, I can not tell, at the wretteing heerof. It is my aduyfe to your lordfhip and counfall, that your lordfhip derect a ample command and charge, till all and findrie the fuperioures of the Yles, till convocat thame felues in armes, with a full commiffion till everie one of ws till perfew the faid rebelles, by fea and land, with fyre and fword, in this forme, in thrie feuerall armyes and companyees; that is, Makclaine of Doward, and Makcleane of Lochbuy, in a companye and armye; Donald Gorme, and the captane of Clannronald, in a other armie; and I, the larde of Coill, and Mackynnoun, and my lord of Kyntailes forces, in a other companye; and let euerie one of thir armees endevoire thamefelues in his maiefties feruice, and he that doeth beft therein have the greateft honour and preferrment, and reward of his maieftie and counfal. And becaus the faid fir James and his companyee hes taken thamefelues to the fea, in two barkes, and findrye other boates, it were expedyent that your lordfhip and counfell would fend me ane commiffion and powar to embark any fhip I can apprehend, in thir Iles, to the better perfute of thame in thir Iles; otherwife your lordfhip and counfell till furnifhe out two or three fhippes, well provyded, to thir Iles, and derect one of thame to me, that I and they may concure togidder in his highnes feruice; and I defyre the Iles fuperiours to be devyded in three factions, for this caus. Sir James and the rebelles of the clann Donald ar of kyn, blod, and alia to Donald Gorme, and to the captane of clann Ronnald; and fir James and his rebelles ar deadlie enemies to Mackclene and his name, and they will never aggree in a companyee and armee; and as for me, your lordfhip knowes verie well that I have geven a proof of my obedience and feruice to his maieftie and counfell alreddye, in taking and apprehending, and delyuering my own name and blood, the rebellis of the Lews, and in making thefe lands peaceable to his maieftie. Lett the reft do the lyk feruice now to his maieftie. And it is verie well knowen to his maieftie and nobilitie of Scotland, that my hous neuer rebelled, nor yett fhall rebell; but as it hes beene ay fubiect to his maiefties will, fa fhall I contenew, God willing,

to my lyves end; and ſhall endevor my ſelue, with all poſſible force and powar, till perſew theſe rebells, and all other rebells that ſhall rebell againes his highnes authoritie, yea, if it wer my father, brother, or ſone; for, bliſſed be God and his maieſtie, I have whereon to leeve his maieſties peacyable ſubiect, whilk I will not loſſe for my lyve and all the world: and, if your lordſhip thinkis it expedyent, I care not ſupoſe your lordſhip preſent this my letter to the counſall. I receaved my commiſſion concerning Coill Makgilleſpik on Witſounday, afore I com home, and after that Coill wes away till Ilae. I requeaſt your lordſhip, in hombilitie and homlienes, till aduertefe me of all occurrent newes. I end, geveing your lordſhip to God's moſt holie tuition,

Your Lordſhips homble ſeruitour at powar,

SIR RORIE MAKCLEUD.

Dunvegane, 18th of June 1615.

Indorſed by Lord Binning:

"Copie of Makcloyd Hereis letter to me, anent the rebels, and Donald Gorme.

"Reſſ. vltimo Junij 1615."

CXXXI.—EARL OF TULLIBARDINE TO LORD BINNING.

MY VERRIE HONOURABILL GOOD LORD,

I HAUE reſſauit McAllan McEan, capitane of the Clanronnald, his anſwer of my letter, quherby I perceaue that he is nocht previe to Sir

James his brekking of waird, and is refoluit nocht to mell with thair courffis; for Sir Jameis and McRonnald did all that thei culd be meffages, to haue met with him vpone pretence to haue delyuerit him his fone, bot he on nawayis wald haue ony midling with thame, nor wald nocht reffaue his fone, becaus he wes in thair cumpany, without ane warrand of your lordfhips of the counfell. Bot I heir that fenfyne, quhen Sir James tuik the fea, he fend him frome him. Sir Jameis, at his paffing out of Lochabber, wes only accumpaneit with fourtene men and boyis, and McRonnald followit him with fextene men and boyis: they paft out that to McEan of Ardnamurchayis cuntrie, quher I heir that McEan himfelff, with all his cumpany, ar with him, at the leift thair is ane great pairte of them. He gat fum boittis thair, and paft therfra langis the coift; bot he culd haue no landing, nather in McAllan McEan his cuntrie, McClewd Hereis, nor Donald Gormis cuntrie, ffor thei pat forcis on all the fea poirtis to ftoip his landing; and I think thej hed maid fum onfet on him, if thair boittis hed nocht bene all funk of befoir, for feir of fuppryfing thame. I heir he landit into the Iles of Rowme and Eg, quher Coull McGillefpic did meit him with ane cumpany of hagbutteris, about the number of fewin fcoir of men. Thair forme of meiting, as I heir, wes this: Sir James and his cumpany ftude in ane plaice be thame felffis, quher the wthyr with his cumpany went round about him onis, and at the nixt going about falutit him with thair woly of fhoittis, and continowit fua fhuitting and inviring of him for the fpaice of halfe ane hour, and therefter com to him euerie man, particularie chapping hands. Wpone the morne thei conuenit all the haill beftiall, hors and ky, to one plaice, quher thej thocht to haue flayne haill; bot vpone bettir aduyfement, thej flew onlie ane number of ky for meat, quhilk thej caryit immediatlie to thair boittis, and therefter tuik the fea, to the number of thre hunder men of all. Cole brocht him tua crearis and fum boittis, with fum wthyr boittis that Sir James himfelff gat in Ardmurche, and fuppryfit in wthyr pairtis. It is thocht that thej haue tane thair woyage to Ilay, and if the cuntrie be vpone thair gaird, as thei fuld, I think thej fall nocht perfeitt mekill. The occafioun of my mannis ftay, it wes lang befoir he culd get tryell quher McAllan McEan wes, for he

wes buſſie in gewing of ordour that Sir James ſuld nocht land on ony of his Iles, and obſcuring himſelff that thej ſuld nocht get him. I vnderſtand he hes ſend ſum letters to the counſell, quhilk I think your lordſhip knawis of befoir now. I will requeſt your lordſhip to lat me vnderſtand quhat directioun is cummit yit frome his maieſtie concernyng Sir James McConeill, and quhat concluſioun your lordſhips of counſell hes taikin thairanent. Swa, hawing na farder at this preſent, committis your lordſhip to the protectioun of God, and reſtis

Your Lordſhips euir aſſuirit freind and ſeruant,

TULLIBARDINE.

Perthe, the 24 of Junij 1615.

I vnderſtand Glengarrie is preſentlie in Edinburgh, and is trublit be my Lord Lowat in ſum actionis betuix thame. I wald requeſt your lordſhip to be his freind, and to forder him hame ouir, for I mynd to meit with him in his by cumming, and ſall lay him ryght to any thing that concernis his maieſteis ſeruice to his power, and becaus he is dealler betuix me and McAllan McEan, capitane of the Clanronnald, pleas your lordſhip wret to me quhat particular ye wald haue me to lay to thair chairge, and I ſall do the beſt.

The pretext that Sir James McConeill and McRonnald myndit to haue vſit, to haue perſuadit McAllan McEan and Glengarry to haue taikin thair pairte, is this auld actioun that my Lord Lowat hes aganis thame, and the taikin McAllan McEanis landis ouir his head be Sir James Steuart. In my opinioun, your lordſhips of the counſell ſuld do weill to delay the diſcuſſing of thir debaittis for ane quhyle, till thir wthyr materis of Sir James war ſetlit.

CXXXII.—MAKNEILL OF THYNEIS TO THE LORD SECRETARY BINNING.

My Lord,

Your lordſhip, accepting ſo weill of my laſt newis of the eyllis, hes emboldonit mee now with moiſt expedition to foirſee your lordſhip of this lait accidence fallin out; for the xxiij[th] of thes inſtant, Sir James M[c]Doneill landit in Yllay, and cam onpercaved niar Doneweage, and be traine of a craftie fellow of the contree, the conſtable of the caſtell, be name Alexander M[c]Dowgall, brother to Raraye, was broght furth be thes fellow and fyw ſoldiouris with him, and, ewming a little ſpace frome caſtell, war ſett upon be Sir James and Coill M[c]Gilleſpith, and all thair companie. The gentleman ſpying them, maid for the houſe, and is ſlaine, and thrie of his companie; the houſe taine, and the pryour and his twa ſonnes, quha war within the houſe, but ar now at libertie, be Sir James. Calder his haill companie is cum frome Eyllay. Sir James was four nights in ane little Yllan callit Collinſaye, and ſlew ane numir of merttis; he hes maid ane ſtrenth in it vpon ane freſch wattir loch in ane eyllane. Thair is no apeirence but ane vttir wrake for the haill ſuith eyllis, except ſom heiſtie remeid be founde, for the morne they dewyd theam ſelf. Sir James ewmes to Iuray, and Coill ewmes to the little eyllan that I poſſes; for the quhilkis, I byde twa extremities, for thir rebellis perſeuis my lyff and guidis, and my lord of Meidope be ragour of law. In thir twa extremities, I moiſt mein me to your lordſhips fawour, that for any ſerwice or pleiſour I can do, that your lordſhip hawe ſume compation on my preſentt aſtaite. Becauſe the perticular war longſum to wreat, I hawe appoyntit ane of my advocatts, Adame Cwningham, to confer [with] your lordſhip at lenth, that your lordſhip may find remeid, that I be not trubillit be waris and law at anes. This I refer to your lordſhip, and my

puir ferwice to your difpofitioun moift humble remembred, and my baldnes excuifed, I fhall ewir reft

Your Lordfhips moift humble, and reddie to
ferwe yow to death,

MAKNEILL OF THYNEIS.

Thir in heift for expeditioune. The newis ar certtane, and fallin out on Setterday at morne, xxiiij of this inftant.

[June 16, 1615?]
Roift, this 26, at night.

MY LORD, Sir James is about iiij^c men, all north eyllis men; at the taking of the houfe thrie of his war flaine; in fpeciall, he quho furft of all tuik it frome the bifchopes brother, callit Rannald Oige. All the men of Eyllay ar ellis cum to Sir James, and Calders haillie expellit, quherof I am fuir [your] lordfhip is not content.

To my werie guid lord, my Lord Secreter, and Lord Beninge, theis.

CXXXIII.—THAIR NAMES WHO WES THE TRATOURIS TO THE HOUS OF DUNEVAIGE.

JOHNE M^cDOULL, Vyre v^c Donald.
Alexander McDoull, Vyre his brother.
Sorill McDoull, Vyre his brother.
Coill McDoull, Vyre his brother.

Duncane McDoull, Vyre his brother, who flew his maifter, Alexander McDougall, with ane fchoatt.

Johne McAlefter, vc Ean, ane vther fervand of Alexander, who wes one of the ploteris, and gave his maifter two ftraikis with ane fword, as is reportit.

THAIR NAMES WHO REFUSSIT TO CONCUR WITH ME, AND SKAILLIT MY WATTER [WACHTER?]

Coill McEan, vc Alefter McDougall.
Alexander McDonochie, Vyre, vc Allane.
Alexander McDouill, vc Alefter.
Ewir McEan, vc Ewir, and
Johne McEan vc Ewir, tua of the clan Laine.

Copie of the names of thes who betraifed the caftell of Dunywaige to Sir James M'Donald, in Junij 1615.

CXXXIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Pleis your Sacred Maiestie,

We haif this moirning reffauit advertifment that fir James M'Donald, and his complices, hes furprifit and tane the caftell of Dunnyvaig, and hes flane the capitane and fome of the keipairis thairof; fua that now thay ar enterit in a oppin rebellioun, and will not faill to procure fome grite difordour in the Yllis, gif a prefent and fubftantious courfe be not tane for preventing and fuppreffing thairof. And whereas the

geving of thair landis, over thair headis, to the erll of Argyle, and his freindis, is pretendit be thame to be the caus, quhairby thay ar inducit to this desperat and treasonnable rebellioun; and it being expectit that the said erll and his freindis sould not onlie haif retenit and haldin these landis vndir a perfyte and satled obedience, sua that your maiestie nor your cuntrey, sould neuir haif bene forder troublit in that mater, bot that thay otherwyse sould haif disabilled thir rebellis and lymmairis to haif attemptit ony disordour heirefter: We haif, thairfore, thocht meete that the chairge and burdyne of this seruice salbe layd vpoun the said erll, and that he and his freindis be send home with all diligence, with a strait chairge and directioun to him to accept vpoun him the lieutennandrie and chairge of this seruice, and to prosequute and follow oute the same, in his awne persone, with his haill pouer, freindschip, and forces, and with all kynd of celeritie and diligence; and for this effect, that he go in persone to Ila, and thair persew the house and the rebellis, and neuir leave af the persute of thame, quhill the house be recouerit, the rebellis dissipat and suppresst, or put af the cuntrey, and that the cuntrey be restorit to obedience and quietnes. And whereas your maiestie had formarlie appointit a schip with a pinnace to come to the Yllis for the persute of Coill M'Gillespik, we will humelie requeist your maiestie, seeing your maiesteis cannoun can not be transportit frome hense to Ila, that your maiestie wilbe pleased to gif new ordour and directioun for sending of the ship and pinnace to Ila, prouidit with cannoun, and vther wearelyke furnitour, to attend your maiesteis seruice thair, in the persute and batterie of that house; and that your maiestie will resolue with the erll of Argyle agane what tyme he will vndirtak to be thair with his forceis, to the effect your maiesteis cannoun may be reddy to meete him thair at that tyme, and that your maiestie gif vnto him a strait chairge and directioun to haif a cair of the keeping of your maiesteis cannonis, and that the same come not vndir the pouer nor reverence of the rebellis, as he will be ansuerable vpoun his lyff. This being a mater requireing haist and diligence, we will humelie beseik your maiestie to be so mutche the moir instant with the erll of Argyle, to mak his addresse home, to follow out this busynes.

So, in all reuerence, recommending your facred maieftie to Godis divyne protectioun, we reft

Your Maiefteis moft humble and obedient
fubiectis and feruitouris,

Al. Cancells.	G. Murray.
Binning.	A. Drummond.
Jo. Prestoun.	Alexr. Hay.
R. Cokburne.	W. Oliphant.

Edinburgh, the laft of Junij 1615.

To the King his moft facred and
excellent Maieftie.

CXXXV.—LORD BINNING TO SIR RORIE M'LEOD OF HARRIS.

Sir,

Your letters, of the 18 of this monethe, wer this day delyuered to my lord Chanceller and me, quherby we perfaue your faithfull affectioun to do his maieftie good feruice againes his rebellis, quherin I pray yow to perfeuere, conftantlie following the good exemple of your foirbeares; affureing yow, that if your weele doing differue his maiefties favour and liberalitie, he is bothe als willing, and more powarfull, to recompens good feruice, nor ony king that euer reigned in this ile. We haue knawne this day that the rebellis hes teane the caftell of Donyveg,

quhiche makis thair rebellioun moir manifeſt and odious, and will force his maieſtie and counſell to vſe the greater powar and dilligence to ouerthraw and puneis theme. I pray yow ſiek all good occaſiounes to hairme the traitouris, and giue your true concurrance, with your beſt forces, to thoſe quho ſall perſew theme be his maieſties commiſſioune. Your opinioun for thair perſute, mentioned in your letter, is verie gude, and weele allowed, as yow will perſaue be the commiſſiounes gevin to your ſelf and your nightbouris, principall commandares of the Iles and Hielandes. His maieſtie is adverteiſed with the rebellis proceedingis, with aduyce from the Counſall to ſend ſchippis and cannons againes theme, with all other neceſſare forces and prouiſioune, as forder ſalbe concluded, yow ſalbe aduerteiſed. Nathir ſall the wrangis done to yow be your nightbours be neglectit, bot according to the tryell yow ſalbe repaired. In the meantyme, the Counſall deſyres yow to foirbeare all violence againes your nightboures; bot if thay intend ony violence againes yow, defend your ſelfis with all convenient moderatioun, leaſt your particulares bread hinderence to his maieſties ſeruice. So, hoiping yow will let me know with diligence, all thingis falling furth, quhiche yow ſall think fit to be ſignified to the Counſall, I commit yow to the protectioun of God. Edinburghe, the laſt of Junij [1615.]

Your verie loveing freend,

BINNING.

My Lord Chauncellare, and the reſt of the lordes of his maieſties Counſall, hes deſyred me to adverteiſe yow that this letter muſt be accompted as ane anſuer from the hail Counſall to yow.

I ſall preſentlie wryte to his maieſtie the contents of your letter, and ſignifie to his hienes your faithfull pourpoſe to giue him pruif of your true hairt to do him ſeruice; therfore, I pray yow, be cairefull to ſchow it be gude effects to eſchew your owne repruif and myne, which can not be

done, if, efter fo dewtifull promeiffis, you aither kythe flewthfull or vndeutifull, which I will no wayes fufpect.

Indorfed by Lord Binning :

" Copie of my anfuer to Sir Rorie Makcloyde.

" Vlt. Junij 1615."

CXXXVI.—SIR JAMES MACDONALD TO LORD BINNING.

My verie Honourabill Gud Lord,

Pleis your lordfhip, I wald haue writtin to your lordfhip long or now, had not I culd find no bearer, becaus nane of my awin dar go thair: aluyfe I will euir think my felf bund for the fauour your lordfhip fchew me, at my being laft in the caftell, whome God knawis vtheris wes bent to wrong me be thair fals accufationis, whofe feir, and the report they gaue out that my lyfe was onlye in thair willis, was the onlye motione of the braik of ward, and no intentione nor defyre I had or hes to live as ane ribell or outlaw, whiche traid, the Lord knawes, I abhore, bot that I wald gladlie live at libertye, with my lyfe faif. And now, my lord, I befeik your lordfhip, for the fauour of God, and my perpetuall feruice, pitie me, and be my freind, that his maieftie may be gratiouflye moved not to yeild to my vnfreindis to ruit me and my whole race out, being fyve or fex hundret yeiris poffeffouris, and now willing to obey and ferwe his maieftie in all humilitie, I feing how I and my pure freindis may live: And if your lordfhip culd find the meanis, that his maieftie and counfall may be moved to let me poffes this pure iland, paying for it as anie vther may, or hes yit offerit to do, and getting my pardone, [I] fall find fufficient

furetie both for my yeirlie dewtye and the peace and quyetnes of me and all that dwellis vnder me. Gif your lordſhip may or will do me any guid in this, I will not onlie be ane to do your lordſhip guid feruice, bot, with Goddis graice, let your lordſhip ſie my thankfulnes. I beſeik your lordſhip, for Goddis cauſe, be playne with me, and if his maieſtie may not be moved to let me haue this iland, diminiſſing nothing of his maieſties commoditie, that your lordſhip will let me know be your adviſe, be what vther meanis his maieſtie may be moved to grant ane generall pardone to me and all myne, and that we may haue to ſuſteine ws in ſum meaſour, leiſt we be forcit, being without anie living, to oppreſs vtheris. This, abyiding your lordſhips anſuer, committing yow to God, I reſt

Your Lordſhips euir to command,

Sᵃ. Ja. Makdonald.

July 1 [1615?]

My lord, if his maieſtie be not willing that I fall be his heighnes tennent in Ila, for Goddis cauſe, let his maieſtie hauld it in his awin hand, for that is certane, I will die beſoir I ſie a Campbell poſſes it; and his maieſtie haulding it in his awin hand, his maieſtie may haue ane thouſand merkis mair be yeir nor Calder ſuld pay, I making it quyt of me and my kin, whiche I will do, vpoun ſuche reaſonabill conditionis as I will ſchow your lordſhip, if ye may aſſure me that ye may get his maieſtie brocht to this poynt, and in the meantyme no imployment to be givin aganis me till your lordſhip ſie how this may be brocht to pas. As for this houſe of Duneveg, whiche I tuik in four and tuenty houris frome Calderis men, your lordſhip getting me fauour of his maieſtie, the houſe ſalbe to ſerve his maieſtie, and neuer to be keipit aganis his hienes; and if his maieſties awin gaird or the biſchopes had bein in the houſe, beſoir God, I wald neuer perſew it; bot finding theſe in it who crewellie oppreſt the pure cuntrie, wes the onlie ſuitteris both of my lyfe and landis,

I wald I culd do thame mair difgrace. Referring all to your lordfhips confideratione and anfueir, I reft

Your Lordfhips euer to be commandit,

Sr. Ja. M'Donald.

July 1.

Direct on the bak, to my Lord
Secretare.

CXXXVII.—ARCHIBALD CAMPBELL TO LORD BINNING.

Ryght Noble Lord,

Efter the wreiting of this packat, on of my fpyes come to me, quha reportis that Sir James company is pairt of Donnald Gorme men, pairt of the Capitan Clanrannald men, and of McCloid men. All the company in Kintyre ar going with him. The traitoures of the Clandonnald, owir quha betrayit thair maifter, ar thair fpayes, in thir boundis of Lorne. They expect no earmy to come on them. Not having farder, to new occafioune, I reft

Your Lordfhips to my powar,

Ar. Campbell.

Ardchattan, the xvi of July [1615?]

CXXXVIII.—[MAKNEIL OF THYNEIS?] TO LORD BINNING.

My Lord,

My humble dewtie remembred; it will pleis your lordſhip, that ſene I wret to your lordſhip laſt, Donnald Gorme, Sir James baſtard ſone, came into Kintyre, the number of tuentie four ſouldiours, and finding the kingis houſe in Keanloch woid, without any in it, hes tane the ſame vpone Wednefday laſt. Sir James, Coill McAllibit, and the haill rebels, of the number of foure hundreth, came to Yla to Kintyre, and ar glaidlie reſſaved of many of cuntrie men thair. The haill ſpeciall inhabitants of Yla ar alſo with the rebels: two ſpeciall men that held of Argyle befoir ar newlie rebellit with thame. McDuphe of Collinſon and his haill name, and Donnald Gigaith Makeain, who held Jurah of Argyle, thoſe two chiftanes ar gaine with the rebels, threſcore and foure, and remaines in Kintyre in pairtis neireſt Argyll, as yet making thair boaſt, and working to be at the Tarbert, quhilk is nyne myls within Argyles boundis, this night or the morne. Auchinbrek hes convocat all that he could, and is to refiſt thame, and to perfew in cace they pas the boundis of Kintyre: He hes left companies to keip all boundis and coiſtis near thair perſute: he is cairfull to diſchairge ane honeſt dewtie in that he hes taine in hand. Many pairtis neireſt Kintyre caſtin weaſt, inſpeciall my haill eſtate and my freindis, which, if the treuth war knowne to your lordſhip, your lordſhip wald lament it. The rebels, in ſo ffar as I can learne, preſumes to no les nor more then euer thair forebeiris had, except it pleaſe God and his maieſtie to provyd ſum ſuddane remedie, for the rebels diſpairis of any perſute, and allures many to follow thame, be aſſuring thame of Argyles death, ſo Argyles lang ſtay makis all thair pryde to increas: all the cuntries ar aloft. Quhat ſall ſucceid, your lordſhip ſall heir, as all

occaſions offers. So long as I bruik liff, your lordſhip ſall be aſſured of the poore ſervice I may or can be able to do. Praying God for your lordſhips happines, I reſt, and ever to death ſall remaine,

Your Lordſhips moſt humble and alwayes
ready to ſerve yow,

MACKNEIL OF THYNEIS.

Thyneis, 29 July 1615.

This day we ar all wairned be Auchinbrek, and paſſes fordward.

Indorſed by Lord Binning :

" Copie of the letter ſent to me
be Hector Makneil.

" Reſſ. 4 Aug. 1615."

CXXXIX.—LORD BINNING TO THE EARL OF ARGYLE.

MY MOST HONORABILL GOOD LORD,

THINKING my ſelff aſſured that your lordſhip wald, according to your promeis contenit in your letter of the 24 ſent to me, begin your journey, ſomeward vpone the nixt day, and end it, at fardeſt, within ten or tuell dayes, I certified the counſall thairof, and, be letteris to

Auchinbrek and vtheris, affirmed, wndowtedlie, that your lordſhip wald keip that dyet; bot now wnderſtanding your lordſhips cairlefnes of that weightie chairge, quhilk ye have wndertaine aganis the tratours who daylie growes in number, force, and prefumptioun, becaus they find no refiſtance, far les perfute aganis them, quherby they have left fum forces in Ila to keip Duneveig and Lochgorne, and Makoneill felff, and fex hundreth with him, having maid thamefelffis maiſteris of Kintyre, ar fo fwelled in pryde, that they have fent the fyre corfe throw the cuntrie, and wairned all the inhabitants betuix Tarbert and the Mull of Kintyre, to tak thair land of the traitour Makoneill. We heir of fo much boldnes in the rebells, and fear in the cuntrie people, as we expect daylie to heir of thair farder futting vpone your lordſhips cuntrie of Argyle, which your owne people does fearfullie apprehend. We ar affured of Auchinbrekis faithfulnes to his maieſtie and your lordſhip, bot do exceedinglie diſtruft his gouernement, in refpect of his owne feiklines, the difloyaltie of many of the Iriſhe people, and boldnes and fubtilitie of the rebels, too able to kep advantage of him: nather will I conceall that your lordſhips name is envyed; your owne autoritie and wounted eſtimation infinitlie impaired be your abfence and neglect of your cuntrie, and releiff of your freindis engadged and wraiked for your debtis: and now, if your lordſhip fall kythe cairles or flouthfull and fluggiſhe in this great chairge, ye will increas the libertie of your ewilwillars, who have boldlie fpokin to your difadvantage and difcredit, difcourage his maiefties good fubiects, embolden the rebells, and mak your taſk more difficle nor your lordſhip apprehends. My affectioun to my maiefties honour and refpect, and goodwill to your lordſhips felff, makis me to wryt more liberallie in this matter nor vtheris will, which I hope and requeaft your lordſhip may tak in good pairt; earneſtlie befeiking your lordſhip, all empefchments removed, to come heir with all poſſible expeditioun and refolution, to go fordward with wifdom and diligence. Your lordſhip will find that your following your owne will aganis my opinion, in purchaffing ane commiffioun in this fervice, to ane particular number of the counfall, will do hinder to the buffines, bot the nixt beſt muſt be done, nothing being able to remove all difficulties, bot your lordſhips prefence and diligence, which

I recommend to your lordſhip, as ye affect your maiſters favour, and your owne honour. So, luiking for your lordſhips extreame diligence, to amend bypaſt ſleuth and ouerſights, I commit your lordſhip to the protectioun of God. Edinburgh, this fyft of Auguſt.

Your Lordſhips verie affectionat to ſerve yow,

BINNING.

Indorſed by Lord Binning:

"Copie of my letter to the Erle of Argyle.

"5 Auguſt 1615."

CXL.—LORD BINNING TO KING JAMES VI.

MOST SACRED SOUERANE,

BE the copies of the letters writtin to me be the Laird of Auchinbrek, and Hector Makneill, ſent heirwith to your maieſtie, the eſtate of the Hielandis will be trewlieſt knowne, and how neceſſar it is that the Erle of Argyle haiſt thither. His ſlow returne hes emboldened the rebels. I perſuaded the Archibiſchop of Santandrois to ſtay in Edinburgh till the erles cumming, and I came to this place to meit him, and haiſt him; and this day having rencontred him, have prayed him to diſpatche letters from the counſall to the commiſſionars of the Iles, to be in Edinburgh vpon Sonday at night, the 20 of this moneth, that he being advyſed and authoriſed be thame, may with all ſpeid go to the Hielandis aganis the rebels. He is this night to wryte to his freindis in Argyle of his being in Edinburgh, and reſolution to haiſt to that cuntrie. He is to ſend to Aire to learne Capten Wodis eſtate, if he be cum thither, and

if he be not yet cum, to direct the proueſt and bailzies to mak him ſpeidie wairning when the Capten fall cum. I have not concealed from him what is talked of his ſlownes, and what opinion is conſaued and vttered be ſum, that ſince his infeftment and Cadels of the lands of Kintyre and Ila, hes driuen thir rebels to attempt thir deſperat courſes, that they having ſufficient power to repreſſe thame, ſould do it be thair owne forces, and at thair owne chairges. He aunſwers that he will do ſo for Kintyre, and doutes not but Cadell will do all that he can to debate Ila, bot thay can not hinder the rebels to go to vther pairtis of the Iles and Mayneland, whair thay can not be preaſed to perſew thame. I did not inſiſt in the pourpoſe, which I onlie moved to wairne him of the danger of his reputation, if he ſall not proceid ſincerelie and forwardlie in the buſines, whairin he profeſſis verie dewtifull affection. None of his freindis ar yet returned from Court except Lundie. Auchinbrek is vnfitt for ſeruice, which I think ſall be beſt ſupplied be Lawers. Yiſterday, the Archibiſchop of Santandrois cauſed your maieſties commandement concerning Sinclair, Wilkie, and Cruikſchank, reſettars of the Jeſuites, to be executed with great ſecrecie, well kept to the very moment of the expected execution, and then cauſed convoy thame bak to priſon, to be baneiſſed according to your maieſties laſt warrand. It may pleaſe your maieſtie to cauſe tak ordour with the Erle of Caſſils, for renunciation of his heritable bailzerie of Carrik. So, beſeiking God long to preſerue your maieſtie in health, happines, and contentment, I reſt

Your moſt ſacred Maieſties moſt humble, faithfull,
and bund ſeruand,

BINNING.

Innernock, 16 Auguſt [1615?]

To the Kingis moſt ſacred Maieſtie.

CXLII.—LORD BINNING TO JOHN MURRAY.

Sir,

I haue ſene ſo many pruiffs of the toune of Edinburghs euer reddie affection and fordwardnes in all his maieſties ſeruices, as I might be accompted more vndewtifull to his maieſtie nor to thame, if I ſould not beare witnes thairof at all occaſions. Thay ar informed that John Young is gone to court, with commiſſion from Leith, to informe his maieſtie, ſiniſtrouſlie, of thame, and to requyre things to thair preiudice; whairby thay ar moued to ſend this bearer, Maiſter John Hay, thair clerk, to anſueir for thame, with warrand of trueth and reaſon. Your fauour in the help of his gude acceſs, and your aſſiſtance in thair laufull affaires, may greatlie pleaſour thame, and obleis thame to yow. At your being with thame, thay expreſſed thair loue and reſpect, and profeſſe thair deſyre and honeſt intention to giue yow better pruif, if yow haue occaſion to imploy thame, which makis me the more willing to recommend thair agent to your fauour and gude aſſiſtance, becaus I know thame euer faithfull to his maieſtie, and am aſſured that thay will alwayes be dewtifull when your affaires fall requyre pruif of thair thankfulnes. So, hoping that yow will freindlie aſſiſt the bearer, according to your wounted kyndnes, and the expectatioun of your freinds and comburgeſſis, I commit yow to the protection of God. Edinburgh, 4 October [1615?]

Your moſt affectionat and obedient freind,

Binning.

To the right wourſchipfull John Murray of Lochmaben, one of his Maieſties Bedchamber, at Court.

CXLIII.—THE EARL OF ARGYLE TO LORD BINNING.

My verie Gude Lord,

As I wret to your lordſhip, in my laſt lettres, from the Lodinnis in Ilay, that efter I had landit my men, I maid ane onſet on the rebels, quher they war incampit at Ilanourſa, in Ilay, quher the greateſt pairt of the rebels boattis was apprehendit, and if it had not bene, that ſum of the tennents war neir to my camp, and ſeing my forces row away in thair boattis, the moone ſhyning, who preſentlie maid on great beakins vpone the tope of ane hie hill, the quhilk, ſo ſone as Sir James did ſie befor my men war at him be ſex or ſeavin myllis of ſea, he went to his boat, accompanied with McRannald, Sorle McJames, and ſum four and tuentie or threttie with thame, vtherwayes he could not have eſcaped. As they war going into thair boattis, ſum of the principall tennentis of Ilay deſyred him to have ſtayed, and becaus they had hazard all for him, and knew thair wald be no mercie ſchawin to thame, they ſould all die at his feit, bot McRannald perſwadit him to the contrar. Efter his going from Ilay, he maid his firſt cours towardis Inchedaholl, ane ile vpone the bak of Inchewin, in Ireland. Sorle McJames, and his cumpanie of Iriſhmen, did leave him thair, and ar fled to the woodis of Ireland. I have writtin to the commanders of theſe places to be cairfull in apprehending of thame; and vther of his boattis being manned with ſum of the tennenttis, in Kintyre, who neuer left Sir James, wntill he was brought to ſuch extremitie, ar fled from him and cum to Kintyre. They affirme that Sir James his reſolution is, to caſt himſelff in ſum great mans lap, who will interceid at his maieſties handis for him. I have ſent ſpies both to Lochaber and to the North Iles, if he go thair, for, in my opinion, he dar not adventure to ſtay in thir pairtes. I am certanlie informed thair is not ane man with him bot thrie ſaue and himſelff. At Sir James his way going out of Ilay, all the tennentis of the cuntrie ſtayed behind him: Coll McGilleſpie

having the keiping of the caſtle of Duneveg, and the Ile of Lochgorme, he ſtayed in his ſtrenthis, and followed not Sir James. Befor the landing of his maieſties cannon to the caſtle, Coll ſubmitted him ſelff and cam in: he hes randerit both the caſtle and ile to me, and hes delyverit Coline Campbell of Kilberrie, who was his priſoner: lykwayes he has wndertakin to do ſuch ſervice as may releif himſelff. I have apprehendit all the principall ringleadars, and ſuch as could be tryed to have gone willinglie with Sir James: ſum of them I am to ſend to the Lordis Commiſſioners, and the reſt I will execut heir. I have preſentlie imployed Coll McGilleſpik in ſervice againſt theſe that ar outlawis, whois ſucces your lordſhip will know at my nixt adverteiſment. McRannald his ſonnes, and Glengarrie his brother, ar gone to their owne cuntries, and I haue ſent efter thame. So ſone as I have endit heir in Ilay, I intend to returne bak to Kintyre, and to ſpair none that willinglie joyned with the rebel Sir James, for the greateſt part of thame ar in Kintyre and Arran. So ſone as I can try quhat pairt of his maieſties dominions Sir James hes takin him to, your lordſhip ſall be aſſured I ſall not be long wnperfewing him. I ſall lykwayes, God willing, tak ſuch ane ordour with thoſe that hes followit him, as his maieſtie ſall not neid to dowt of gude obedience in thir pairtes in tyme cuming. My lord, the extremitie of the wether, and diſtance of the place, hes bene the caus that I haue bene ſo long in adverteiſing of your lordſhip of my proceidings: ſo, for the preſent, I reſt

Your Lordſhips aſſured freind,

ARGYLE.

Duneveg, 13 October 1615.

Indorſed by Lord Binning:

"Copie of the Erle of Argyles letter to me.

"Reſſ. 16 October 1615."

CXLIV.—LORD BINNING TO THE EARL OF ARGYLE.

My most Honorabill Gud Lord,

I ressaved, this night, your lordſhips letters of the 13 of this moneth, from Duneveg, making mention of Coles incuming to your lordſhip, and Sir James his eſcape, with all theſe that ever I had naimed principall men in this cumpanie; bot I hope your lordſhip will have cair, ſo far as can be, to mak ane gud count of them to his maieſtie: your lordſhips letters have cum heir with gud ſpeid, being writtin vpon the 13 at Duneveg; bot ane paket ſent from this to court, vpone the 12 of this inſtant, conteinit aduerteiſment from my Lord Chancellour to court, of all that your lordſhips letters of the 13 hes now brought to me, quhilk I fall ſignifie to court with all convenient diligence, expecting better nowellis be your lordſhips nixt adverteiſment, quhilk I pray God to ſend. At the nixt meiting of the counſall, I think thair will be ane great number of the commiſſioners, to whome all your lordſhips proceidings ſall be communicat. I think your lordſhip will do wyſlie, to advyſe quhat courſe is moſt fit to be taine with his maieſties ſchippis, for, if your lordſhip have no neceſſar vſe of thame, thair ſtaye in theſe ſeas idillie can awaill nothing, bot may put his maieſtie to great charges, and bring danger to the ſchippis (quhilk God forbid): alwayes ſo long as your lordſhip has neceſſar vſe of thame, his maieſtie and the counſell will vndowtedlie allow that your lordſhip reteine thame, and imploy thame in any neidful ſervice. This Moſſe will bring to your lordſhip ane lettre of the erle of Lowthians, quhilk miſſed the laſt paket, with ſum vthers ſent to me ſenſyne be Maiſter Williame Browne. Thingis heir ar quyet, prayſed be God. I think befor this tyme your lordſhip hes hard that vpone the 26 of September, the Lady Arbella deceaſed in the Towre. In France the troubles increaſſes, and, nevertheles, the king goes fordwart to his mariage. So, beſeiking God to grant your lordſhip the honour and happines to cut

off the ruttes and headis of the Iles rebellioun, and expecting that heirefter, your lordſhips fallowars or nighbouris, fall not prevent your lordſhip in the report of your proceidings, I reſt

Your Lordſhips moſt ready freind to do yow ſervice,

BINNING.

Barnbougall, Monenday at night,
16 October.

Indorſed by Lord Binning:

"Copie of my letter to the Erle of Argyle."

CXLV.—LORD BINNING TO ARCHIBALD CAMPBELL.

LOVING FREIND,

I RESSAVED your letters of the 15 of this moneth, from Duneveg, bot no newes in thame; becaus, vpone the 12 day, I hard the ſubſtance of all that your letters beares, quhilk that ſame 12 day was writtin to court be my lord Chancellour. I am glad that my lord is maiſter of theſe ſtrenthis, and forie that all the principall men ar eſcaped, except Coil, who hes gottin conditions; bot I hope that my lords diligence, wiſdome, and gud luk, fall overtak thame, and red his maieſtie, and the cuntrie, of thair cummer; for, if it ſould fall vtherwayes furth (as God forbid), yow know quhat conſtructions men wald mak of the great preparatioun maid be ſea and land, at ſo great charges to his maieſtie, without any effect, bot the wrack of the poore beggerlie tennentis of Ilay

and Kintyre; for fince Sir James, and his fone, with M'Rannald and his fone, and Glengarries fone, and M'Sorle, ar all efcaped, and Coll pardoned, I know not quhat ringleadars thefe ar whome ye wryt ye ar to bring in; alwayes, it is gud that thair forces ar fcattered, without harme or danger; yit, fo long as the heades ar all to the fore, the rebellioun will never be thought quenched; quherfor, I know my lord will have fuch cair as agrieth with his honour, and his maiefties expectatioun. I have no certantie of the thefaurare deputes dyet, bot I hope he will be heir about Hallowmes, and will affuredlie performe his promeis, yours being obferved, quhilk I hartelie wifhe. So, remembring my loving commendatiounis to your brother Collin, and praying yow to prevent your curious nighbouris in the adverteifments of my lords proceidings, quhilk I wifhe may be profperous, I reft

Your verie loving freind at power,

BINNING.

[October 1615?]

Indorfed by Lord Binning:

"Copie of my letter to Archibald Cambell."

CXLVI.—ARCHIBALD CAMPBELL TO LORD BINNING.

MY VERIE HONOURABLE GUDE LORD,

YOUR lordfhips lettres of the 4 and 5 of October, from Edinburgh and Barnbougall, came heir to my lord vpone the 18 of this inftant; the caus of thair ftay fo long be the way, and that your lordfhip hes not

more frequent adverteifment fent from this, is the extremitie of the windis and the currenttis that runis fo ftronglie in thir feas, quhilk makis it almoft wnpaffable betuix this Ile and the Mayn. My Lordis lettre heirin inclofed will fufficientlie informe your lordfhip of the fucces of his maiefties fervice. Thofe that ar already execut, ar not of the number that Coll M^c^Gillefpik hes apprehendit. My lord intendis tomorrow, if wind and weather ferve, to go to Kintyre, and hes left a roll of certain perfones with Caddle, who ar to be takin ordour with, and to that effect hes gewin him commiffioun. So that, on my credit to your lordfhip, thair is nothing left vndone in Ilay that concernes the weill of his maiefties fervice, or can do gude to Caddle, quherof I dowt not he will acquaint your lordfhip himfelff. The greateft number of the rebels ar in Kintyre: they ar watched fo that they can not efcape. I hope my lord fall no foonner cum to Kintyre, bot your lordfhip fall heir of deu executioun. I can heir no certantie if M^c^Rannald be gone to his owne cuntrie; or if he be gone to fchift a bark or a fchip to carie him away; bot it is certane that he hes pairted cumpanie with Sir James. As I wret to your lordfhip befor, my lord hes fent both to Lochaber and Glengares boundis, to fie quhat may be done againft the rebels. Your lordfhip may eafelie confidder how difficle a thing it is, to find out fuch a number of ranagates, who drawis themfelfis to lurk in diverfe corneris of the kingdome; yet, I hope in God, although it be paines to the Erle of Argyle, and to thofe that fallowis him, his maieftie fall have a fufficient compt maid, or it be long, of thefe vilanis. As concerning the reft of the Ilanderis I will wryt nothing at this tyme, bot I hope the exact performance of this fervice fall mak them a littill more tractable then they have bein heirtofore. I beleif, feing the fervice is cum to fuch perfection, that my lord expectis not any more pay from the Thefaurar, vnles it be for a verie few number, and a fchort tyme. Quhen your lordfhip heiris the particular, I dowt not bot your lordfhip will find it verie reafonable. I think it expedient, that, in your firft lettre to my lord, your lordfhip wryt, that, feing thair is not fex of the rebels togidder, it is thought expedient that thair be no more pay fent, wntill your lordfhip know from my lord quhat number it requifed for the prefent. I will not trouble your lordfhip with remembrance of any particular any

more; nather dowt I of your lordſhips favour, if it be my gud hap to deſerve it, as, God knawis, I am moſt deſyrous, and ſall ever remaine

Your Lordſhips to ſerve yow,

Ar. Campbell.

Duneveg, 20 Octob. 1615.

At my lordis cuming to Kintyre, he intendis to diſmiſſe the Charles and the bark, quherin the ordinances ar, ſeing they ar chargeable to his maieſtie, and is to keip Captane Wood with the ordinance, wntill your lordſhip heir ane accompt of the ſervice, and that his maieſtie conclud quhat farder is to be done in thir pairtes.

Indorſed by Lord Binning:

"Copie of Archibald Cambells letter to me.

"Reff. 28 Oct. 1615."

CXLVII.—LORD BINNING TO ARCHIBALD CAMPBELL.

Loving Freind,

I have, according to my dewtie, adverteiſed my lord, be my letter, that the commiſſioners for the Iles, and ſuch of the counſall as conveined this day, mervell, that my lord wret nothing in his laſt letters

concerning the diſſoluing of his men at the end of this moneth, before quhilk tyme they think the opportunitie, tyme and power, to do all that force requyred; and if any thing ſould therefter reſt to be done, he might eaſelie performe it be his privat meanes: therfor, ſince many ar ſo ready to turne his actions, be thair report, to the worſt, I pray yow propone to his lordſhip how ſmall advantage it will be to keip men vnneceſſarelie vpone his maieſteis charges, quherof they will affirme the greateſt pairt to cum to my lordis benefit, the mater being vnworthie of the ſcandall, and able to hinder him in ane greatar purpoſe, ſo vnles his lordſhip be able to qualifie iuſt and neceſſar cauſes of keiping men vnder pay, I hartlie wiſhe that his maieſtie may be fred of that neidles burdene. It is alſo expedient, that ſo ſone as the neceſſitie of the ſervice may permit the returne of his maieſties ſchippes, that my lord conſent to it and vrge it; for, beſydes the great coſt thair ſtay thair bringis to his maieſtie, thair danger vpon that ſtormie coſt, in this winter ſeaſon, is greatlie to be conſiderit, and ſo fracas may be eſchewed. His maieſtie is exceiding deſyrous to have trew and ſpedie knawledge of my lordis proceidings, quherin I wiſhe my lord may vſe diligence, at all occaſions; and ſo, till farder occur, I commit yow to God. Edinburgh, 25 October.

Your loving freind at power,

BINNING.

Indorſed by Lord Binning:

"Copie of my letter to Archibald Cambell.

"25 October 1615."

CXLVIII.—LORD BINNING TO THE EARL OF ARGYLE.

My most Honorabill Gude Lord,

Your lordſhips laſt lettres concerning the diſcours of your lordſhips proceidings againſt the rebels, the taking of thair boattis, diſſipating thameſelffis, and puting to flight, ſo ſcattered, and in ſo ſmall number, as your lordſhip hardlie knew quher to fallow the leadars, furniſſing me warrand to informe the counſall (as I wes requyred) of the account of your lordſhips bypaſt actions, I maid trew report therof, and of Coles yeilding to your lordſhip, and puting in your handis the houſes of Duneveg and Lochgorme. My lordis of Glaſgow, Clerk of Regiſter, and Advocat (the remanent commiſſioners for the Iles being abſent), conſidering the eſtat of the affaires, and that thair was no knawin vſe of waiged men now, quhen your lordſhips privat forces, to be aſſiſted be the power of ſuch pairtes of the cuntrie, as any of the ſcattered rebels war ſuſpected to luirk into, war more then ſufficient to fallow, ſchearch, and overthrow thame, haue thocht it vnneceſſar, that his maieſtie ſould be any longer burdened with interteining ſouldiours vnder pay; and that theſe, who have ever bene ready, vpone ſmaller occaſions, to ſpeak vnkyndlie of your lordſhip, will tak advantage, both to blame your lordſhip, if ye requyre any ſuch pay, and the commiſſioners, if they allow it, vnles your lordſhip will qualifie any iuſt and neceſſar cauſe; in quhilk caice, it will be moſt readelie furniſſed. It is alſo thocht moſt neceſſar, that your lordſhip eſchew all neidles detentioun of his maieſties ſchippes; and ſo ſone as your lordſhip ſall ceaſe to have vſe of thame, that ye have ſpeciall cair of thair ſaif and ſpeidie returne to England.

Be theſe who cum from court, I am certified, that his maieſtie is moſt deſyrous to be frequentlie adverteiſed of your lordſhips proceidings and gud ſucces, quherin I pray your lordſhip to giue his maieſtie all dew

ſatiffactioun, fra tyme to tyme. So, till farder occaſion, I commit your lordſhip to God.

Your Lordſhips verie affectionat and ready
to ſerue yow,

BINNING.

Edinburgh, 25 October.

Indorſed by Lord Binning:

"Copie of my letter to the Erle
of Argyle.

"25 October 1615."

CXLIX.—THE EARL OF ARGYLE TO LORD BINNING.

MY VERRY GUID LORD,

As I wrait to your lordſhip, in my laſt lettres from Dumbar [Duneveg?], the xiij day of this inſtant, that Coll McGilleſpick, befoir the landing of his maieſties cannon, had geivin vp the caſtell of Dunovaig, and Ile of Lochgorme, haid delyverid Colin Campbell of Kilberrie, and wes gone about to do forder ſervice for himſelfe. So this day he hes returnit to me, and hes brocht withe him nynetene of the rebellis that followit Sir James: of thir, thair ar tua or thrie of the cheif and principallis that were withe Sir James: one of thame had the commandement of fourtie men. His name is McDuffie. I purpoſe to preſent ſum of thame befoir your lordſhipis, that your lordſhips may be the moir certefeit of Sir James proceidingis ſince his laſt rebellioun; the reſt of thame intend to caus execute heir. My lordis, the caus of my ſtay ſo long heir, is waiting vntill I heir

what Sir James intendis to do. At the wryitting of my laſt lettres vnto your lordſhipis, I vnderſtood not whiche way he wes gone out of Inchedaholl, ane ile on the bakſyde of Ireland, to the whiche he went, whenas he wes forcit out of this ile. Bot I am now fuirlie informed, that he is pairted withe McRannald, and landit in a place callit Rowvalin, in Ireland, neir whair the vmquhile Lord Terchonellis ladye duellis, for ſche is his father ſiſter. His intentioun is, as I vnderſtand, to go to the deputie and to delyver himſelfe in his handis; ſo, how ſoune as I haiſ donne what I intend, God willing, in Kintyre, I will mak your lordſhipis certefeit of the whole eſtaite of the ſervice, whairwithe I hope his maieſtie ſalbe welle pleaſit, and my freindis ſufficientlie ſatiffeit; for I purpoſe, God willing, ſo to conclude it, as thair ſalbe no place left for any evir to attempt the like in thir pairtis. Leaving to truble your lordſhipis with any farder, for this preſent, I reſt

Your Lordſhipis aſſurit freind,

ARGYLE.

Downovaig, the 29 of October 1615.

Eſter the wryitting heirof, I am informit that Sir James Makoneill bocht four horſſis on the coſt of Ireland, and ane gentleman callit McKarie hes followit him, and, as I beleue, he can hardlie eſcape. This day I haiſ cauſit execute nyne of the principallis and leaderis of the rebellis, whois names I haiſ heirwith ſent to your lordſhipis. I hoip now dayly to be buſie in executioun, whill his hienes rebellis be brocht to ruine.

Indorſed by Lord Binning :

" Copie of the Erle of Argyles letter to me.

" Reff. 29 Oct. 1615, at night."

CL.—CAPTAIN WOD TO LORD BINNING.

Right Honorabill and my verie Gud Lord,

I ressaved your lettre of the 16 of October, and thinkis my felff verie much bund for your honorabill favour. My lord of Argyl hes bene verie cairful, and hes fettelled thingis in Ilay, and the greateſt he found thair, adherent with the rebels, he hath caufed execut: others of them he hes brought heir to Kintyre, and hes poſſeſſed Sir John Campbell peaceablie in the two ſtrenthis, quhilk the rebels did hold in Ilay. The caſtle of Armorthy is to be delyvered to his lordſhips fervand, and the keipars to prefent themfelfis to his lordſhips fervice. Sir James McConeill is difcoverit, and my lord knowis quher he is, and, for the apprehending of him, he hes fent ten fufficient men, ather to attack him or kill him. He hes wrought all meanes poſſible to affect the fame, as your lordſhip fall know in my nixt lettre. Thair is heir ane great number in Kintyre, quhilk hes bene aſſociate with the rebels, and for that caus I have defyrit his lordſhip to keip aboord his maieſties ſchippis, to fuch tyme, that his men repair from onſetts, quher he hes appointit them, at quhilk tyme he will tak ordour with them. The rebels hes ſpoilled mightilie the land, that the poore tennents is almoſt vndone. I fie it will be neir the end of November, befor my lord mak ane end heir; therfor, becaus it is the deid of winter, I meine to remaine in fum gud harbour in Oyde, quher his maieſties ſchippis may be in fafetie, except I receive warrant from your lordſhip, and the reſt of the counfell, to the contrare. I will be fo ſpairing, to burdene the cuntrey of Scotland, as poſſiblie I can. My lord of Argyle tauld me he wald wryt to the counfell, to know if I fall leive the munitioun heir, quhilk is not ſpent, quhilk I could not do, as I tauld his lordſhip, without ſpeciall warrant from his maieſtie, in reſpect I reffaved it by warrant from him, and hes indentit for the fame in the tour, quher I muſt be countable. All vther proceidings concerning me your lordſhip

fall have intelligence. Thus I humlie tak my leive, gewing thankis for all your honorabill favouris, and fall ever remaine

Your Lordſhips fervand.

From his Maieſties ſchip, the Bran,
in Lochkilberran, in Kintyre, 2
of November 1615.

Indorſed by Lord Binning:

"Copie of Capten Wods letter
to me.

"Reff. 22 November 1615."

CLI.—EARL OF ARGYLE TO LORD BINNING.

My verie Gud Lord,

Having done quhat was requiſed for the weill of his maieſties ſervice in Ilay, and in ſum vther places nixt adiacent, I came with his maieſties ſchippis from thence on the 16 of October, and arryved in Lochkilcheren the nixt day, a ſafe harbour for his maieſties ſchippes. I had no ſonner cum to that place, quhen thair cam to me one that had bene of late in Sir James McConillis cumpanie, who ſchew me of all Sir James his proceidings, and that he and his ſone war in Ireland; lykwayes, he hes vndertakin, on certane conditions to himſelff, to bring ſum of my ſervandis to the place quher Sir James is. My lord, althocht this be without the boundis of commiſſioun to mak ſcheirſe for any of the rebels, having fled to ane vther kingdome; yit to kyth my zeall in his maieſties ſervice, I have ſent ſum of my ſpeciall ſervandis, accompanied with thret-

tie of the ableſt men I had, to that place in Ireland quher I am furlie informed Sir James is. I hope in God they ſall ather bring him to me, or vtherwayes atteich him, quher he is, in ſick foirt that he ſall not eſcape. As to Sorle McJames his ſone, he and his few companie ar into the rowt, and thair about he hes obteinit a two monthis reſpit from the deputie of Ireland. As to McRannald and his ſones, I have directed ane onfett on them, as I wret to your lordſhip, who I hope ſall ather apprehend themſelffis, or mak it knowin in whois boundis they have actuell reſidence, quherby the landiſlord may be obleiſt to preſent thame. As to Glengarrie his ſone, I have the lyk onfett on him, and if his maieſtie and your lordſhip will haue bot a littill patience, I hope in God to mak ſuch a cleir reckining of the ſervice, as thair ſall no man neid to dowt that in thir pairtis heirefter, thair ſalbe the lyk attempt. Thair reſtis ſum thing yit to be done heir in Kintyre, and in places nixt adiacent, quhilk I am preſentlie about. My lord, I thank God that the ſuppreſſioun of this rebellioun was in tyme prevendit, for, on my credit, if it had bene 20 dayes longer protracted, few of my cuntriemen betwix Tarbert and Innerrarey had provin gud ſubiectis—mekill les could ther have bene any gud expected of farder remot places, quher thair was no trew obedience to his maieſtie at all. At my cuming heir, I have diſmiſſed Captane Merick, and the Wictueller, quherin the ordinance war, and hes ſtayed Captane Wood with the ordinance, wntill I know your lordſhips pleaſour heiranent, ſeing I am furlie informit, that Captane Wood his ſtay heir, wilbe no more charges then if he war diſmiſſed from hence. Quher your lordſhip blames me that I ſent not word before the beginning of this month, anent the diſſolving of his maieſties fied ſoiours, pleaſe your lordſhip, that in regaird of my ſending to Ireland, and the onſetis I haue ſent to Lochaber and Glengarries boundis, and theſe that I have in preſent ſervice againſt ane number of the owtlawis, that ar in thir pairtis, I fand not, that I could diſmiſſe any of my cumpanies, and I aſſure myſelff quhen your lordſhip ſall conſidder dewlie of thir my proceidings, your lordſhip will acknawledge that I draw not his maieſtie to any vnneceſſarie charges, and heirin will abyd your lordſhips awin cenſure; and however your lordſhip pleas to deall with me, it ſall be ſeine, that I ſall frielie adventar lyff, land and all,

befor thair be any thing wanting that may accompleife his maiefties fervice. Sua, leving the to the fufficiencie of the bearar, I bid your lordfhip fairweill.

Your Lordfhips affurit freind,

ARGYLE.

Campbeltoun, 7 Novemb. 1615.

Indorfed by Lord Binning:

"Copie of the Erle of Argyles letter to me.

"Reff. 22 Novemb. 1615."

CLII.—LORD BINNING TO JOHN MURRAY.

SIR,

I DID expect that your nevew, Kirkonell, fould haue gevin yow ane perfyte accompt of all your affaires, before this letter could haue cum to your handis; bot I haue hard fenfyne of the delay of his iournay, be the deceas of his father, and am perfuaded that fo fone as he can fettle his turnis, he will haift to yow.

Drummorell hes writtin to me this inclofed, fince I faw my lord of Gairlies; for if I had reffaued it foner, I wald haue dealt with my lord; albeit I can not beleive that my lord meanes fo hardlie to him; nather is it expedient to vrge any farder, bot to haue the warrand of my lord Gairlies wourd, that, directlie nor indirectlie, he will not do nor allow any wrong or hairme to be done to him. As to the letter, I think it imper-

tinent to be ſchowne; nather wald I haue ſend it, if it had not conteaned this motion of the Iriſh land for his ſone, with excambium to yow, as the letter beares, whairof yow may be pleaſed to conſider; and if yow ſie your owne gude in it, yow may purchaſe ane patent of the tuo thoufand aikers of Iriſh land, in any freindis name, and thairefter cauſe tranſſer it to Drummorels ſone, if he mak yow ſufficient furetie of the vther land. What yow think gude heirin let me know, and I ſall wryte to him accordinglie.

In vther pourpoſes, I can not wryte whill I heir from yow, or from Maiſter Patrik, be your direction, to which tyme and ever, I commit yow to the protection of God, and reſt

Your moſt obleiſſed and obedient freind,

BINNING.

Edinburgh, 15 December [1615?]

The erle of Kingorne is beginning to convaleſce, prayſed be God.

CLIII.—LORD BINNING TO JOHN MURRAY.

SIR,

I RESSAUED your letter of the ellevint, and will repeat nothing in ſuch of your buſſines as is relaited in my former letters. Robert Makbraire deliuered to me your letter of the aulder date, and expreſſed to me the buſſines meant thairin, and hes ſollicited and attended the reſolution verie diligentlie. I haue gottin the copie of the chartour, and proponed the generall queſtion to Maiſter Thomas Hope, forbearing all mention of perſons or landis, and find him verie dowtfull; and thairfore ſince the ſeſſion is neir ane end, and I hope, God willing, to ſie yow

about the tuentie day of the nixt moneth, becaus my Lord Chancelar appoyntis his dyet thair about that tyme, I fall informe yow amplie of all that I know, or can learne, in that buffines; and, in the meantyme, haue willed Robert Makbraire not to attend any longer heir. I think he hes writtin at lenth, of all that he hes knowne, of your affaires fince his returne, and fpeciallie, of the Lady Broughtons pourpofe to haue gone to court, and to haue tane hir fone with hir, to haue regraited thair hairmes and ftraittes to his maieftie, whairof Barnbarroch aduerteifed Robert and me; and, at oure defyre, hes promeifed to ftay hir, and to go poift him felf to court, the nixt oulk, for that and vther buffines of his owne. At meiting, he will declaire to yow the groundis of hir intended complaint, and fayes he will ftay thair till after my cumming. The fubftance of that which I hard of him this day abruptlie, and in fchort conference, wes, that hir hufband having right to manie faire and proffitable lands in Ireland, whairof he had poffeffion at his deceas; the laird of Lochinvar had be your meanes acquyred ane title thairof, be the aduantage of ane failzie, for not preferuing of condicions, which might and wald eafilie haue bene performed, if hir hufband had liued; that albeit Lochinvar had rent and yeirlie proffeit of thame aboue ane thoufand pundis fterling, yet he had difpoffeffed hir rigourouflie and vnkyndlie, withowt any maner of acknowledgement; that yow had the poffeffion of hir hufbandis landis in Scotland, which he had provyded to yow incaice of the deceas of his onlie fone, and had fo preferred yow to all his kin; that thay wer informed that yow wer bund to Lochinvar be contract; that if hir fone, at his perfyte aige, fould not ratifie Lochinvars rightis of all his fathers Irifh lands, that yow fall mak right to him of all Broughtons landis in Scotland, which is the fubftance of the pourpofe. Barnbarroch is ane fenfible gentilman, and, as appeiris to me, profeffis much loue and refpect to yow; and, thairfore, I wes glaid that he fould rather impairt thir thingis to yow, in privat and freindlie maner, and reffaue your anfuers, which I know yow will giue him with gude reafon, nor that ane indifcreit woman fould have bene permitted to go, and, by idle and vntrue reportis, fclander your name, whairof I know yow ar moft cairefull and fenfible. I pray yow offend not with the gentilman, bot deale pacientlie, or els remit all

till yow, and he, and I meit, and ſpeak of the buſſines, that he may ſie that if his ſiſter be not vnreaſonable and indiſcreit, ſcho ſall have no iuſt cauſe aither to ſclander or compleane of yow. When Lochinvar vſed ſo much inſtance to haue your ſureties of Markill exped, that he might ſubſcryve thame, I thoght no thing had bene meant, bot that ſo ſone as he ſould have cauſed Schiriues ſubſcryve thame, he ſould haue ſent thame to be keiped to your behoue; bot ſenſyne, James Hamilton hes ſaid to me, that he vndirſtandis that Lochinvar intendis not to deliuer thame, whill yow ſend to him the contract paſt betuix yow and him, anent the Iriſh landis. He deſyred to haue the patentis deliuered to him which Patrik Whytlaw had, bot that will not be done whill yow direct it.

I ſall do concerning Sir William Alexander as yow haue advyſed me, and he, nor no vther honeſt man doing dewtie to me, ſall want ane honeſt meiting.

I wrait the laſt oulk, that thair wes gude hope of the Erle of Kingornes recouerie, becaus I wes ſo informed be the Erle of Tullibardin; bot, contrarie to all thair expectations, he is dead. Caire hes bene had of his ſones wairde and mairiage, and ſuch ordour tane thairin, as agries with his maieſties reaſonable proffeit, and laufull reſpect to the nobilmans houſe, as yow will know more particularlie be that which Sir Gedeon hes writtin to his maieſtie, and your ſelf.

If yow think any thing fit to be knowne to me before I ſie yow, I pray yow cauſe Maiſter Patrik wryte it to me, and I ſall informe my ſelf als perfytlie as I can of all your affaires, to the effect I may reſolue yow of any thing yow ſall deſyre to vnderſtand at meiting.

My not wryting to my Lord of Scone proceidis of your aduerteiſment of his pourpoſe to cum from court, before my letters can be thair. So, wiſhing yow all happines, I reſt

Your obleiſſed freind to obey yow,

BINNING.

Edinburgh, 22 December [1615?]

When I wes clofing this letter, when I reffaued my brothers of the fyftent. As yow haue advyfed me to accumpanie my Lord Chancelar I fall do, God willing. Sir Andro Car hes prayed me to rander yow great thankis for your fauour to him at my requeaft, which I do affectuouflie, as daylie more bund.

To the right wourfchipfull John Murray of Lochmaben, one of his Maicfties Bedchamber, at Court.

CLIV.—LORD BINNING TO JOHN MURRAY.

Sir,

I ressaued your letter, which I haue inclofed heirin, and fall keip the contentis to my felf. In your buffines with Lochinvar, nothing can be done in his abfence. I gaue to James Dowie, Drumlanriks band, and will be forced to leive Adam Cunighames buffines vndone, inrefpect of his being at the vaicance.

I haue delt with my Lord Aduocat, that the evidentis of Linclouden, etc. may be enventoured, whill ordour may be tane for thair deliuerie. Thay ar in the handis of his gudfone, Maifter John Haliday, at whoes returne from the vaicance he hes affuredlie promeifed to caufe mak and deliuer, ane perfyte inventar of thame; bot John Belches affured me that he had gevin to yow the double of that inventar, at court. I haue bene earnift to haue your whole evidentis collected, and perfytlie forted, and put togidder, which can not be fo wele done at this tyme as I could wifh, becaus fum of thame ar in Robert Makbraires hands; fum gevin to the regifter, and not yet extracted; fum fent to the cuntrie for taking feafing, and not fent bak; fum in proces in the clerkis hands; and fum in Maifter Alexander Kings; all which ar directed to be foght and col-

lected together, with all poſſible diligence, as yow ſall, God willing, know at meiting.

My Lord of Scone promeiſed to be in this towne before oure journay. I ſall confer with him at lenth, in all affaires, and informe yow of the eſtate thairof.

I haue writtin to my Lord of Santandrois, to the effect conteaned in your letter, and haue ſet downe your opinion and reaſons.

The Biſchop of Orknay is verie dewtifull to yow, and moſt cairefull that yow may have all freindlie contentment, whairanent we conferred at great lenth, and as any farder ſall occur, yow ſall know it.

Be my brother yow will know what I haue writtin to him; and as I ſall vnderſtand your opinion be ſuch letters as yow ſall think fit to wryte, or cauſe him to wryte, before oure cumming to court, I ſall endeuore my ſelf to do accordinglie. So, wiſhing yow all conſtant happines, I reſt

Your moſt obleiſſed and obedient freind,

BINNING.

Edinburgh, laſt December [1615?]

To the right wourſchipfull John Murray of Lochmaben, one of his Maieſties Bedchamber, at Court.

CLV.—LORD BINNING TO JOHN MURRAY.

SIR,

THIS night late, I haue reſſaued your letter of the 3 of Januar, and haue diſpatched theſe for my Lord of Santandrois for lyfe. Till I ſie yow I have nothing to wryte, bot that my Lord of Scone earneſtlie deſyres that the warrand concerning the Erle of Tullibairdins place, as Erle of Athole, may be haiſted downe before oure cumming to court; becaus he hes hard ſum ſpeaches that makis him beleve that ſum to be

thair at this tyme, will preafe to ftay, if thay be not difapoynted, be the more fpeidie fending it to the counfall. I have mett with Lochinvar, and chairged him with all the Lady Broughtons complaints. He hes maid verie fpeciall anfuers, which I fall fchow to yow at meiting, to which tyme and euer I commit yow to God, and reft

Your moft obleiffed and obedient freind,

BINNING.

Berwick, 9 Januar, at night, [1616?]

To the right wourfchipfull John Murray of Lochmaben, one of his Maiefties Bedchamber, at Court.

CLVI.—WILLIAM HAIG TO THE EARL OF DUNFERMLINE AND LORD BINNING.

MY HONORABLE GOOD LORDIS,

BESYDES the preiudice I know I fufteine in my poore eftate, indifpofition of body, and greiff of mynd I haue in the apprehenfion of his maiefties difpleafour with me, till he be fully informed of my innocencie; the continuance of my reftrainte breedes in many, fo much the more fufpicion of my guylte, that my accufer, noated with fo many publik blemifhes, hes more liberty then I. My lorde, he may continew in lyes, but, God knowis, it is impoffible he can proue the leafte of the imputations wherwith he chairges me. Your lordfhips can not be now ignorant of the trewth of the bufines. If I wer guylty to fuch enormeties, it wer fitt my punifhement wer more publike; but being innocent, it is a pitty to fmother me in this loathfum holle. Sauing your lordfhips wifdomes, though I had bene all this tyme at free waird, I could neuer haue made my accufer les able to proue his denyles againft me. I fuffer too much for the lyes of that vnhappy man, God forgeue him. I alwayes

hoped your lordſhips ſhowld haue put this buſines to a point, before the end of the ſeſſion. I can hold no longer; I beſeech your lordſhips pardon a poore man much diſtracted with the greiff of this place, to adiure your lordſhips, be the loue yow haue to juſtice, and to his maieſties ſeruice, either to puniſhe my guylte, if any be, cleare my innocency, or geue me leue to wryte wnto his maieſtie, both the juſte exceptions I haue againſt my accuſer, and what I can ſay to ſhaw the falſhood of his accuſations. And if, at this tyme, your lordſhips be not diſpoſed to affoord me any of theſe fauours, I beſeech humbly your lordſhips either ſuffer my freendis to cum at me, or at leaſte geue me leue to vſe pen and inke, for making vſe of my reading here, that I may haue ſum poore comfort, till ſuch tyme as either his maieſtie haue taken notice of my innocencie, or your lordſhips haue leaſour, from his maieſties more importante ſeruices, to make an end of this buſines. Thus humbly beſeeching your lordſhips anſwer, I reſte,

Right honourable, your Lordſhips moſt
reſpecting ſeruand,

WILLIAM HAIG.

Tolbuith, 2 Auguſt 1616.

To the right honourable my ſingular good lordis, the Earle of Dunfermeline, Lord Chancelar, and the Lord Binning, Lord Secretary, theſe.

CLVII.—LORD BINNING TO KING JAMES VI.

MOST SACRED SOUERANE,

AT this meiting of the Counſall vpon the 20 of this inſtant, the Lordis Lauderdaill, Erſkin, Fleming, and Sir Archibald Naper, being

admitted to be of that number, ordour wes geuin for wryting to the Marqueis of Huntlie, to bring with him to this towne, Geicht and the ſhiref-depute, vpon the tent of September, being the nixt counſall day, and to the Erle of Erroll to bring with him before the Counſall the brother of Brunthils at that ſame day. Thay ar bothe commanded to cum in quyet maner, with thair privat houſholdis, and to keip thair ludgingis whill thay be ſent for be the Counſall.

Forbes of Blaklandis is reported to be put to libertie, be conſent of Clokreoch, and his freindis, vpon caution, vnder great ſowmes for his re-entrie before the Juſtice, when he ſall be charged, which is ſuppoſed to proceid of thair opinion, that he committed the ſlaughter in his owne defence.

The magiſtrates of Montrois wrait to ws, that one of the waughters had cauſſin anker in thair raid, ſchot two pieces of ordonance, diſplayed hir coulours, and croſſed hir raes, and hes ſtayed thair thir eight or ten dayes withowt offer of iniurie to any. Thay craived the counſals direction in that mater, be whom thay ar commanded to be reddie to do what may concerne your maieſties ſeruice, or the gude of thair towne, if any occaſion be offered be the waughter, which we can not expect. And becaus your maieſties ſhip, commanded be Capten Dauid Murray, lyes in that harbrie, we haue directed him to keip ſtrong watche, and to be carefull of his chairge at all occaſions, thinking it vnfit to enter in any more extreame courſe with the waughter, ſo long as the actions of his lordis ſall not giue ſubiect to your maieſtie to giue expres direction to the contrarie.

Your maieſtie will vnderſtand be the Counſals note, what ordour is taken with the landiſlordis of the middleſchyres, who compeired at this meiting, and what courſe is to be takin the nixt counſall day with the reſt.

The Scheref of Tevidaill hes bene with me, and promeiſis to mak ane expres and particular propoſition of that which he will requyre for renunciation of his office agane the nixt counſall day.

The Commiſſionars of Parlement for plantation of churches haue convened and concluded that the cuntrie ſall be quartered; that ſince the Archibiſchop of Santandrois is abſent, and ſo not reddie to tak the firſt

terme, which is the moneth of Nouember, that that moneth fall be affigned for the kirkis of the diocefes of Glafgow, Galloway, and Argyle.

The moneth of December is appoynted for the kirkis of the diocefes of Santandrois, Dunkell, and Dumblane. Januar is prefixed for Brechin, Aberdene, and Murray. Februar for Ros, Caithnes, Orknay, and the Iles.

Summondis ar prefentlie formed, and to be fent blank to evrie one of the bifchoppis, to caufe execute aganis the poffeffours of the rentis of the particular kirkis and vtheris, pretending rightis to the frutes thairof, and the minifters ferving the cures, if any be, for fetling the ftipendis be thair aduyce and confent, or failȝeing thairof, as the commiffionars fall think reafonable.

Places and tymes ar appoynted for the commiffionars frequent meitings, efter the firft of Nouember; and becaus the attendance vpon the Seffion and Counfall will many tymes impeid the meiting of fik as ar of that number, it is concluded, that thefe who ar not feffionars or counfallours fall be fet to particular tafkis, to deale with the pairties intereffed in particular kirkis, and fall mak report of thair trauels and fucceffe to the whole number oulklie, vpon the Monnondayes, Wednifdayes, and Frydayes, for furtherance of the gude difpatche of the buffines, and efchewing of the trouble of the commiffionars and pairties be long and vnneceffar attendance.

The Lord Gordon has renewed his promeis to be anfuerable for Geichtis conformitie. So, humblie begging pardon for this longfum interruption of your maiefties greater affaires, I pray God to extend the courfe of your maiefties lyfe, health, and happines, to the vttermoft period and perfection of humane felicitie. Edinburgh, 21 Auguft [1616?]

Your moft facred Maiefties moft humble, faithfull,
and bund feruant,

BINNING.

[To the King his moft excellent Maieftie.]

CLVIII.—SIR G. MURRAY TO PATRICK HAMILTON.

WEILBELOOVIT NEPHEW,

I RESSAVED youris from Notingame, befoir I cam from Abirden, and returne yow this anſweir theirto. It is trew, that vpon two yeares ſence, or thairby, James Gardner brocht doun a precept from his maieſtie, of fourtein or ſyftein hundreth pundis, whiche he alledged wes reſtand to him, in the tyme of the former officeris, with a gift of the Comptrollarie of the Ordinance vacand ther, as he alledgit, be the deceis of wmquhyll Jhone Cheſholme. As for the precept, it wes refuſed be advyſe of the Commiſſioneris of the rentis, leiſt it might haue bred ane evill preparatiue, and maid way to a number of the lyke dettis, whiche, having bein neclected in the former officeris tymes, the lordes thocht it not fitt I ſuld put thame in vſe of payment. As for the Comptrollarie of the Ordinance, the ſame wes diſponed, neirly the ſpace of a yeare befoir, to Maiſter Robert Lyndſay, be the demiſſioun of the ſaid Jhone Cheſholme, who maid furrender of it in Maiſter Roberts fauouris long befoir he depairted this lyff, and ſo could not be gevin to Government. Maiſter Robert beand depairted this lyff the laſt winter, I then diſponed the office to my nevoy, James Murray, who is moir fit to diſcharge it nor Gardner, and at the tyme when it wes gevin, I wreit to my Lord Secretar, who wes then at Court, and to Jhone Murray, feiring that Barnard Lyndſay fould haue maid buſſines for it, to one of Maiſter Robertis bairnes, whiche wes ſignefeed to his maieſtie, as I remember, be Jhone Murray, and had his heines approbatioun, withe a directioun from his maieſtie to do Maiſter Robertis bairnes fauor in any wther thing he poſſeſſit. Now I can never conſider by what reaſon the fooliſche man can complein that it wes gevin by him, ſence it vaked not till a whole yeire efter he gat his maieſties hand to that ſignatour, vpon a wrong and falis narratiue. Concerning the precept, you remember he went vpe this laſt harveſt when I wes thar, and importuned his maieſtie for the ſame; at whiche tyme I reſſaved directioun ſo to command him to go home, and to tak ordour with him at

my returne, by geuing him ſume ſatiſfactioun for that whiche he craved: According to the whiche directioun I dealt with him at my cuming home, and agreed with him for the ſoume of ſax hundreth poundis as I call it, (bot I can not affirme it certaulie, geue that wes the ſoume I agreed with him for, till I ſie the comptis), whiche ſoume he reſſaved, and geue a full diſchairge of all that he could craue. I leue it for yow to conſider geue I be weil dealt withall. Bot the man is furious, a deboſchit drunkard, and having ſpent his monies, goes about to get ſuſtenance by unlawfull ſkafrie and malitious informationis. This is the trewthe of bothe theſe buſſines, whiche I thocht fitt to ſignifie to yow, and will remane

Your loving vncle to be commandit,

G. Murray.

Kinnard, the 22 of Auguſt 1616.

When I come to Edinburt, I ſall informe myſelf moir particularlie, and ſignifie the ſame to yow, for I had almoſt forgottin the buſſines.

To my weilbeloovit Nephew,
Maiſter Patrik Hamilton,
at Court.

CLIX.—EARL OF DUNFERMLINE AND LORD BINNING TO KING JAMES VI.

Pleas your Sacred Maiestie,

We reſſauit youre maieſteis lettre of the xij of this inſtant, bearing, that complaint hes bene maid vnto youre maieſtie be James Haig of Bemerſyde, of oure partialitie in the tryall of that mater, contravertit betuix him and his brother, and how that your maieſtie wes ſpairing to beleve the ſame. As we acknawledge oure ſelffis infinitlie bundin to your maieſtie, for not geveing eare to ſuche a miſreporte ſo far aganis

the treuth and the ſinceritie of oure proceidingis in that mater, ſo we hoip that the depoſitionis quhilkis this day we haue tane of him and his bruther, according to the command of your maieſteis lettre, and quhilkis we haue heirwith ſend vp to your maieſtie, will cleir ws in that poynte, and gif vnto your maieſtie ſatiſfactioun, alſweill in that as in the haill remanent pointis of your maieſteis lettre. We haue examinat the keipair of the tolbuith of Edinburgh, in Bemerſydis awne preſence, anent the reforting of Maiſter James Raith and Maiſter George Butlair to his bruther, whoſe depoſitionis your maieſtie ſall lykwayſe reſſaue, whairby your maieſtie will perſave that thair is ſmall appeirance that oure travellis can produce ony forder diſcouerie in this controverſie, bot muſt depend vpoun your maieſteis awne moſt excellent wiſdome and reſolution. Thair hes ſa mony groſſe ouerſichtis fallin oute in Bemerſydis bypaſt actionis, he being defamed for counterfeiteing of your maieſtes ſignet, and the ſubſcriptioun of his awne brother, for the whilk he wes brocht in queſtioun before your maieſteis Seſſioun; and the breking of your maieſteis waird furth of the tolbuth of the Cannogait, beſyde ſindrie vtheris foleyis, quhilkis hes maid him ſo infamous, that we haue tane the leſe holde of ony thing that he hes ſaid againis ws. And wheras he hes complenit of want of moyen to interteny him ſelf in waird, in that poynte he hes lykwyſe ouerſeene him ſelff, ſeing fra the firſt day of his entrie in waird, he hes had and ſtill hes in daylie allowance of your maieſtie viij ſs. iiij d., whilk is more nor is gevin to wairdouris of his rank and qualitie interteneid vpoun your maieſtes chairges. And ſo, with oure earneſt prayeris to God for your maieſteis lang and happie regne, we reſt

Your Maieſteis moſt humble and obedient
ſubiectis and ſeruitouris,

AL. CANCELL^S.
BINNING.

28 Auguſt 1616.

To the King his moſt ſacred and excellent
Maieſtie.

CLX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Pleas your Sacred Maiestie,

Vpoun the refett of your maiefteis lettre, concerning that patent whilk your maieftie commandit to be exped to your feruitour, Robert Hay, for making of rid hering, we caufit warne the pairtyis who had interes in the firft twa patentis grantit be your maieftie in this mater, and who, as your maieftie wes informed, had gevin thair confent in fauours of the faid Robert Hay; as alfua the proueft and baillies of Edinburgh for thame felffis, and in name of the burrowis, to compeir and declair quhat thay had to propone and obiect aganis the faid patent; and the xviij day of September laft, being the dyet appointit for that earand, the faidis pairtyis, with the baillies and fome of the counfaill of Edinburgh, compeirit, and after mony exceptionis tane be the faidis baillies aganis this patent, as being a monopole of a dangerous preparatiue and example, and hurtfull and preiudiciall to the haill burrowis, in the fredome and preuiledge of thair commerce and trade, and that the faidis pairtyis had no confent to gif to the faid Robert Hay in this mater, becaus, at the laite conuentioun of burrowis, thay compeirit befoir thame, and acknowlegeit thair ouerfight in futeing fuche a patent fo far aganis the freedome and preuilege of the burrowis, and fimpliciter renunceit the fame. In end, thay come to this mayne pointe, that the making of rid hering wes no new trade, practize, nor inventioun broght in this cuntrey be the faid Robert, bot wes a trade formarlie practized and vfed within the fame, diuers yeiris afoir ony motioun wes maid thairof to your maieftie, outher be the faid Robert or ony others, and that thairfoir the faid Robert could not, with reafoun, clame ony fuche preuilege or fredome, as in fome caifes is tollerable, in the perfonis of thefe who ar the firft difcouerars, interprifaris, and inbringars of a new and proffitable trade within the cuntrey, not formarlie knowne within the fame. This allegeance being verie pregnant, and fund relevant to ftay the faid patent, it wes admittit

to probatioun, and this prefent day wes affignit for proveing thairof. And diuers famous witneffes being produceit and admittit in the prefence of Williame Barclay, brother to the faid Robert Hay, it wes cleirlie verifeit and provin, that in the fax hundreth and nyne yeir of God, thair wes a nomber of rid hering maid at Dunbar, be certane maircheantis of this burgh, and that thay wer goode and fufficient maircheant wairis, and that ane pairt thairof wer caryed to Newheavin, Deip, Burdeaulx, and otheris pairtis in France, and thair fauld as goode and laughfull maircheandice, and that the reft wer fauld in this cuntrey. This probatioun conjoyned with moft apparent and probable likliehodis, that the faid trade is lyke to prove verie proffitable to the haill cuntrey, whairof thair hes bene a verie goode prooffe and begynning this prefent yeir, in fo far, as there is tua or three fhippis laidnit with this forte of hering maid within the cuntrey, and grite preparatioun and prouifioun daylie making be nombers of marcheantis agane the nixt yeir, hes moved ws to ftay the faid patent, and to declair the trade of making of rid hering to be free to all laughfull fubiectis: nawayes doubting bot your maieftie will gratiouflie accept of this our conclufioun, whairin we had no other refpect bot that of the commounweele, whilk we knowe your maieftie hes euer preferrit, and will prefer to all priuat refpect of pairtyis. And fo, with our humble prayeris vnto God for your maiefties lang and happie reigne, we reft

Your Maiefteis moft humble and obedyent
fubiectis and feruitouris,

Al. Cancells.
Hamilton.
Binning.
W. Oliphant.

Edinburgh, 9 October 1616.

To the King his moft facred and
excellent Maieftie.

CLXI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Pleas your Sacred Maiestie,

Haveing, according to your maiesteis directioun, caufit chairge the Lord Sanquhair, and Williame Creichtoun, bafe fone to the laite Lord Sanquhair, and his curatouris, to compeir befoir ws this prefent day, for fubmitting of all thingis queftionable betuix thame, thay bothe keept this dyet, and feamed to be verie willing to gif vnto your maieftie fatiffactioun; and the faid Lord Sanquhair offerit himfelf moft willing for his pairt, to do in that mater as your maieftie had directit, fo as he might haif feene a fuirtye. But quhen it wes demandit of the faid Williame, yf he wes of laughfull aige, and yf he had gottin any laughfull certificat thairanent frome the place of his birth, and freindis in France, to whome he promeift to haif writtin in that earand, he declairit that he could not conftantlie afferme that he wes of laughfull aige, bot he wes of opinioun, that he wes verye neir thairunto, and bothe he and the Erll of Roxburgh, one of his curatouris, affermed, that thay had vfed all goodelie meanes, and had writtin to France to haif bene cleirit in that poynte, bot had not as yitt reffaued ane perfyte anfuer. And neuirtheles, for teftificatioun of thair reddynes, and willing difpofitioun to gif vnto your maieftie fatiffactioun, the faid Williame offerrit him felff reddie and willing prefentlie to fubmitt in the eftate that he now is in. Thay being at lenthe hard in this mater, and it being fundin, that this fubmiffioun, whilk in effect is the conclufioun and cloifing vp of youre maiefteis royall decreit and fentence, gevin and pronunceit betuix thir pairtyis, will not produce that goode effect for thair fuirtye, whilk your maieftie fo earniftlie wifhes, and for the whilk your maieftie hes tane fo grite panes and trauellis, it wes thairfoir thoght expedient, that the vrgeing of this fubmiffioun

fould yitt reſt ſome ſhorte ſpace, vntill the tyme of the ſaid Williame his aſſured and knowne majoritie: that then materis may be ſo handlit and ſetled betuix thame, as all futur occaſioun of queſtioun, trouble, or play, whilk may reſult vpon your maieſties decreit and ſentence foirſaid, may be fullie and finallie removed and tane away. This being the ſume of oure procedinges in this buſſynes, we humelie preſent the ſame to your maieſteis conſideratioun; and hairtelie praying God to bliſſe your maieſtie with a lang and happie reigne, we reſt

Your Maieſteis moſt humble and obedyent ſubiectis
and ſeruitouris,

Al. Cancells.
Hamilton.
Binning.
W. Oliphant.

Edinburgh, 9 October 1616.

To the King his moſt ſacred and
excellent Maieſtie.

CLXII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Pleas your most Excellent Maiestie,

Your maieſties Deputie Theſaurair and Clerk of Regiſter come no ſounair to this toun, whilk wes vpoun Sonday at night, the xv of this inſtant, bot thay preaſt ws to conveene, and delyuerit to ws your maieſ-

teis lettre, concerning thefe preparationis whilkis neceffarlie mon be prouidit for, and had in reddynes agane your maiefteis comeing heir; and thairwithall, thay did at lenth informe ws of your maiefteis moft iuditious foirfight and intentioun, in the particularis concerning that preparatioun, quhilkis being fundin mor nor neceffair be ws, and we having at grite lenth conferrit and advifit thairupoun, and vpoun the moft probable and liklie meanes, how all thingis may be tymouflie, ordourlie, and fubftantiouflie done, to your maiefteis contentment, and credite of the cuntrey, we find it a mater verie vncertane, and we dar not hafaird your maiefteis neceffair furniffing, vpoun the naked hoipis and efperance of ony voluntair fupplee that may be expectit frome the people. And we can not foirfee, nor yitt affure oure felffis, how this furniffing may be feafounablie, and in dew time, layed in and had in reddynes without prefent and reddy money; and feeing your maiefties awne cofferis ar alreddy, vpoun occafioun of thir preparationis, fo far exhaufted and emptyed, as thay ar not able to do the turne, we think that the fame mon be fuppleit be a taxatioun to be layed vpoun the whole cuntrey, whairin we affure oure felffis no honneft fubiect wilbe failling. And whereas the confent of the efteatis mon be had heirunto, oure opinioun is, that ane conventioun falbe appointit to be haldin at Edinburgh, vpoun the fyft of Marche now approtcheing. And we haif heirwith fend vnto your maieftie ane lift of thefe, whome, we think mete to be writtin for to this conuentioun, with a forme of the miffiues to be directit vnto thame: And althoght this taxatioun will not be gottin in agane the tyme of your maiefteis comeing heir, yitt your maiefteis officiaris wilbe fo refpectiue and cairfull of your maiefteis honnour, and of the tymous prouiding of all thingis requifite for your maiefteis furniffing, as no thing falbe inlaiking whilk prefent and reddy money may afforde; feeing thay ar weele affured that all thair advancementis and deburfementis wilbe relevit in fhorte tyme be the taxatioun. And humelie befeiking your maieftie, with the firft occafioun of your maiefteis laifer, to returne vnto ws, your maiefteis refolutioun and commandment heiranent, and for fuch otheris thingis as your maieftie will haif to be proponned and handlit at this meeting, wherunto we fall

conforme oure felfis. And praying God to bliffe your maieftie with a lang and happie reigne, we reft

Your Maiefteis moft humble and obedyent fubiectis
and feruitouris,

AL. CANCELL[S].
A. MAR.
SANCTANDREWS.
BINNING.

Edinburgh, 20 December 1616.

To the King his moft facred and
excellent Maieftie.

CLXIII.—LORD BINNING TO KING JAMES VI.

MOST SACRED SOUERANE,

SUCH of your maiefties counfeill as wer commanded be your letter, fent be the Clerk of Regifter, and Sir Gedeon Murray, to aduyfe vpon the meanes to furnifh your maiefties houfes of wheat, beir, aittis, wyne, fpyces, beif, mutton, and vther prouifions of that fort, efter confideration of the buffines, could not refolue vpon any vther gude meane be trufted, bot be taxation, which requyres ane conuention of the eftates. The forme of the letters, and roll of the perfones to be fent for, ar to be prefented to your maieftie, to the effect that your maieftie having commanded any thing to be altered or added, in aither of thame, James Douglas may thairefter be directed to vfe diligence in wryting the

miſſiues to be ſigned be your maieſtie, and ſent downe with ſpeid; becaus the number of the perſones, diſtance of thair duellings, and tyme requiſit to the Commiſſionars of ſchyres and borrowes to conſult and reſſaue thair directions from thair collegues, will mak the day inſert in the letters ſchort aneugh for thair convening in this towne.

The Laird of Cumlege, who wes ſchiref depute of the Merſe, to the Erle of Home, preſented your maieſties miſſiue to the counſall, commanding thame to appoynt him depute in that office, during his lyftyme; which thay intending to obey before his commiſſion wes exped, Sir Gedeon Murray preſented your maieſties roll of the names of theſe elected this yeir, be your maieſtie, to be ſchireffis in the ſchyres of your maieſties appoyntment; Alexander Home of Renton being named to Beruick, who being called before the counſall to accept the chairge, declaired what he had hard of Cumlege deputrie, which he thoght ſo preiudiciall to the power of the principall ſchiref, and to the diſchairge of his dewtie, as he deſyred aither to be excuſed to accept the principall office, or els to haue it, as it vſes to be granted to vthers, with power to chois thair deputis and members of court, for whom thay ſall be anſuerable. The mater is delayed till your maieſties pleaſour be ſignified. Bot it wes remarked, that if your maieſtie, having ſo great deſyre to aboleis heritable ſchiref-ſchips, and to redeme thame at ſo deir rates, ſould begin to giue lyfrents of the offices falling in your handis, the heritable officers wald be the more vnwilling heireſter to tranſact. Whairin, ſubmitting my ignorance to your royall wiſdome, I beſeik God to grant your maieſtie moſt happie and long lyfe. Edinburgh, 20 December [1616?]

Your Maieſties moſt humble, faithfull, and
bund ſeruant,

BINNING.

To the Kingis moſt ſacred Maieſtie.

CLXIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Pleas your Sacred Maiestie,

Vpoun refett of your maiefteis lettre, writtin vnto ws, in fauours of the Archiebifchop of Saint Androis, anent the reftoiring and repoffeffing of him to that affignatioun of victuall, quhilk is difponit furth of the thriddis of his benefice, to the caftell of Edinburgh; and for prouiding of the faid caftell with als mutche goode rent oute of your maiefteis rentis, we conferrit at lenth with the faid archiebifchop, and with the Erll of Mar, captaine of the faid caftell, thairanent; and, after dew examinatioun and confideratioun of the eftate of this mater, we find, that the Erll of Mar is verye weele prouidit to the faid affignatioun, be warrand and auctoritie of Parliament, and to difpoffes him of a conftant and fure rent, vnder pretext of that whilk wilbe vncertane, and to difpone the fame to the faid archiebifchop, nather can the one nor the other be availlable of the law, becaus this affignatioun maid to the faid caftell is not onlie annext thairunto be Parliament, as faid is, bot lykewayes in that fame Parliament of the fax hundreth and fax yeir of God, whairin the bifchoppis wer reftoirit to thair levingis and digniteis, thair is a fpeciall and particulair referuatioun and exceptioun, of the affignationis and prouifionis maid to youre maiefteis caftellis; and thir affignationis and referuationis being yitt in force, vnquarrellit or difchargeit by ony fubfequent Parliament, thair can no thing be done preiuditiall thairunto bot be a Parliament. Alwayes, feeing it is your maiefteis gratious will and pleafour to gratifie the faid archiebifchop in this poynte, whairof we weele allow, oure opinioun is, that in place of this affignatioun maid to the faid caftell, your maieftie fall gif vnto him ane penfioun oute of youre maiefteis rentis, anfuerable in proportioun to the faid affignatioun, to be broukit be him allanerlie, vntill a Parliament, at whilk tyme fuche folide and goode courfe may be then tane for the full and perfyte fecuritie of bothe pairtyis, bothe anent the reftitutioun and repoffeffing of the faid archiebifchop to

his awne patrimonie and rent; and anent a new prouifioun to be maid to youre maiefteis faid caftell, as falbe thoght expedyent. Bot in this, as in all otheris thingis, fubmitting oure felfis to your maiefteis more excellent iudgement, and humelie praying God to bliffe your maieftie with a lang and happie reigne, we reft

Your Maiefteis moft humble and obedyent
fubiectis and feruitouris,

AL. CANCELLS.
BINNING.
GEORGE HAY.
G. MURRAY.
W. OLIPHANT.

Edinburgh, 20 December 1616.

To the King his moft facred and
excellent Maieftie.

CLXV.—LORD BINNING TO KING JAMES VI.

MOST SACRED SOUERANE,

ALBEIT I have fufpected and bene affrayed, that your maieftie, longing for aduerteifment of the progres of thir two great dependances of the day of law and conuention, might impute my filence in bothe to flewth or vndewtifulnes; yet having writtin vpon the firft of this moneth of the eftate of the criminall perfute, and iudgeing it more pertinent to informe your maieftie of the conclufion of the conuention, nor by ane imperfyte and incertane relation, to difturbe your manifold, extraordinar, and moft weghtie refolutions and directions, at the verie poynt of your

maieſties remoue from London for your wiſhed proſperous journay to Scotland, I reſolued to ſuperſeed wryting till the buſſines ſould reſſaue determination. And now the conuention being diſſolued, will crave your maieſties permiſſion ſummarlie to relate thrie dayes exercife. The firſt meiting wes verie frequent, vpon wedniſday the fyft of this moneth, and the buſſines begun by reiding your maieſties letter to the Counſall, and ane wyſe, learned, and eloquent diſcourſe of my Lord Chancelar, exponing the true cauſe of your maieſties intended journay, to be your loue and longing to ſie your natiue cuntrie and good ſubiectis, and to bring to thame, the bleſſingis which haue alwayes accumpanied your maieſties preſence, dilaiting the iuſtice and neceſſitie of your maieſties deſyre to haue ane ſupplie from your people for the chairges of your journay, as wes vſuall to be contributed in all aiges, not onlie for reception of natiue kingis, bot even of ſtreinger princes, be the law of hoſpitalitie: For which pourpoſe, having adduced many pertinent authorities and exemples, he proponed the mater to be reaſoned be the eſtates, firſt demanding the opinion of the Archibiſchoppis, and being ſatiſfied be thair graue and good reaſons, founded vpon oure duetie to your maieſtie, for procuring to ws religion and iuſtice, and all ordinar bleſſingis following the ſame, he proceided to inquyre of the opinions of nobilmen and vthers of the eſtates, who all concurring to the confeſſion of oure great obligation to your maieſtie, and for the moſt pairt granting that ane ſupplie wes neceſſar for the chairges of your maieſties intended journay. The nixt deliberation wes of the maner, whairin wes debaited, whether it ſould be by voluntar contribution or taxation; and the taxation being fund to be the moſt vſuall, cleir, and equall meane, and in that reſpect allowed, it reſted, to reſolue vpon the ſowme and tyme of payment, which gaue libertie to ſum to ſay, that it wes expedient to delay it till your maieſties preſence in the approcheing parlement; whair, thay, requyring of your maieſtie aſſurance, that thair ſecurities and eſtates ſould not be inverted nor hairmed in parlement, vpon grant of that aſſurance, thay wald then grant to ane greater ſupplie nor could at this tyme be yeilded. Sum of the Weſtland, agrieing to the ſubſtance, vrged that no concluſion might be takin, till thay wer releived of the importable burding of ane vndue proportion

impofed vpon thair cuntrie be inequalitie of the wourth of merklandis, thairs, being fo far inferiour in rent and proffeit, to the lyke number of merklandis in vther fchyres and pairtis of the cuntrie, as thay wer forced to vnderly more nor the quadruple of thair due proportion, whairby thair tennantis wer becum fo poure, that it wes impoffible to thame to pay any taxation till that inequalitie wer reformed. The aduyce of vthers being alfo hard, and the regrait of the pouertie of the cuntrie much enforced, it pleafed my Lord Chancelar to command me to declaire my opinion, which being deliuered owt of my zeale and duetie to your maieftie and my cuntrie, wes, as fenfyne I haue hard, tane fumwhat hardlie, becaus I faid, that the propofition wes fo iuft and neceffar, that whofoeuer fould, aither directlie or indirectlie, preaffe to hinder it, wald be thocht execrable to all good fubiectis; whairby fome, who had fpokin before me, judged thame felues fumwhat taxed far vtherwayes nor I meant. My generall ground wes, that ane great taxation fould be hairtelie granted, and fpeidelie payed: My reafons wer deduced from the eftate of your maiefties affaires, and oure obligation and duetie; that your maiefties affaires requyred fupplie, becaus your journay drawing yow to infinit extraordinar expenfis, whairby your coffers wer emptied, ane extraordinar contribution of your people behoued to fupplie that want; it nather being feemelie to be requyred, nor probable to be obteaned, of the eftate of England, (being auerfe from the journay, which depryued thame of your wifhed prefence), wes to be expected and exacted from ws, who wer to enioy your maiefties long wifhed and almoft difpaired returne to this kingdome: That the quantitie wes not fo much to be proportioned to oure eftate, as to your maiefties honour and affaires, for which we fould be aboue power, being more obleiffed to your maieftie nor any nation in the worlde wes to thair king, the want of confideration whairof, and the motion to delay oure grant till we obteaned condicions in parlement, I imputed, rather to the ignorance, nor malice, of thefe who feemed to think that the baffe fupplie which we wer able to affourd could draw your maieftie to indent with ws; prayeing thame to acknouledge, that fince God had geuin ws the moft excellent king that euer profeffed Chriftianitie, and who had bleffed ws with more reall and conftant profperities, nor oure

hairtes durſt haue wiſhed, or any vther nation euer reſſaued of thair king, albeit oure pouertie denyed ws abilitie of due requytall, oure ductie band ws to acknouledgement, and endeuour to go beyond oure powers: And, omitting to particularife the generall benefites done to oure people in England and Ireland, I ſchew that the bleſſingis of juſtice and peace, and fruttis arryſing thairof, did ſo obleis eurie one of ws, as no thing in owre power could equall it, defyring that it might be remembred, that whairas the Ilanders oppreſſed the Hielandmen, the Hielanders tirannifed ouer thair Lawland nighbours; the powerfull and violent in the in-cuntrie domineered ouer the lyues and goodes of thair weak nighbours; the bordourars triumphed in the impunitie of thair violences to the portes of Edinburgh; that treafons, murthours, burningis, thiftis, reiffis, hearſchippis, hoching of oxin, breaking of milnes, diſtroyeing of growand cornis, and barbarities of all fortes, wer exerced in all pairtes of the cuntrie, no place nor perſon being exemed or inviolable, Edinburgh being the ordinarie place of butcherlie reuenge and daylie fightis; the paroche churches and churche-yairds being more frequented vpon the Sounday for aduantages of nighbourlie malice and mifcheif, nor for Godis feruice; nobilmen, barrons, gentilmen, and people of all fortes, being ſlaughtered, as it wer, in publict and vncontrollable hoſtilities; merchandes robbed, and left for dead on day light, going to thair mercats and faires of Montrois, Wigton, and Berwick; miniſters being durked in Stirling, buried quick in Cliddifdaill, and murthoured in Galloway; merchandis of Edinburgh being waited in thair paſſage to Leith to be maid priſoners and ranſoumed, and all vther abominations which fetled be inveterat cuſtume and impunitie appeired to be of deſperat remeid, had bene ſo repreſſed, puneiſſed, and aboleiſſed be your maieſties wiſdome, caire, power, and expenſis, as no nation on earth could now compaire with oure proſperities; whairby we wer bund to retribute to your maieſtie, if it wer the verie half of oure hairt bloud. Thinking that none of the eſtates could harbour any thoght to the contrarie, I added, that I vnderſtude two obiections to be moſt common, the one proceiding of the pretext of the peoples pouertie, and the vther of the diſtribution of your maieſties moneyes, which being well managed, might

ſuffice all your chairges. To which I anſuered, that I wes confident that none of the eſtates wald now obiect thair owne pouertie, when your maieſtie neided thair ſupplie, ſince the prelates acknouledged thair eſtate and fortunes to proceid of your maieſties mere liberalitie, and had freilie expreſſed thair hairtie conſent to ane taxation; that the nobilitie could not oppoſe, whom your maieſtie had honored with dignities and inriched with erections, benefited with landis, patronages, taxed wairdes, blanches, preceptis, penſions, and ſo many vther liberalities, as had almoſt ouerthrowne both the Churche and the Crowne; of all which the barones and frieholders wer participant; that the welth of bourrowes wes ſo viſiblie increaſed be your maieſties bontie and fauvour, that if thay did not contend with the moſt forward to your maieſties ſupplie, thay wald prouoke your maieſtie to cloſſe the conduict of your euer flowing bontie touards thame. As to the diſtribution of your maieſties rentis and deueis, your debt wes ſo great before your going to England, that the payment thairof exhauſted all the taxation granted for that pourpoſe in the parlement 1606, and the erle of Dumbars journayes to this cuntrie, for executing and eſtabliſſing your maieſties moſt prudent and fatherlie deuyſes for reformation of intolerable abuſes in kirk and commonwealth, had bene ſo coaſtlie, as your maieſties whole Scottis rentis being allowed thairon, could neuer haue bene able to haue performed the buſſines, withowt verie lairge ſupplie from the exchekker of England. Since his deceas, your maieſties rentis, and the taxation granted in anno 1612, wer ſo proffitablie beſtowed in the purchaſe of Orknay, owtreck of ſchippis and waidgeing ſouldiours for repreſſing publict rebellions, reparation of your maieſties caſtellis and palices, and vther commendable deburſementis, exceiding ſevin hundreth and tuentie thouſand pundis, that if any of the eſtates wer curious to know the particulars, your theſaurar depute ſould glaidlie reſolue thame, knowing that the proffitable diſtribution of byganes wald induce thame to more liberall contribution at this tyme: Prayeing thame, beſydes, to conſider how great ſowmes your maieſtie furneiſſis from England, for the furnitour and chairges of this journay, and how your maieſtie deburſis yeirlie in penſions to oure cuntrie people, fies to the Lords of Seſſion, pay to the guairdes and bordour commiſſionars, enter-

teaning ane fchip in thir feas for fecuring merchands and repreffing pirates, and vther deburfements of that fort, as the fame amounting yierlie to ane hundreth and tuentie thoufand pund, whairof your maieftie might juftlie declyne the burding, and lay it vpoun ws,—we might be reputed the moft ignorant and ingrate of all men, if oure affection at this tyme fould not counteruaill oure benefites to the vttermoft of oure power. As to the pretended pouertie of the people, it wes not to be alledged for ftay of the taxation, becaus that pouertie proceided of oure owne waiftfull fuperfluities in all maner of expenfis; and the poure fort wer not to be burdened with any pairt of the taxation, vnles it wer be thair maifters oppreffing thame aganis the ordonance of the eftates. Sum vther reafons being proponed be vthers, delay wes foght be the moft pairt of the eftates till the nixt day, that thay might convene with thefe of thair owne rank, to confider of the quantitie of the taxation and termes of payment; which being yeilded, and thay convening vpon the fixt of this moneth altogidder, efter fum fchort reafoning vpon the quantitie, which depended vpon the difference of two hundreth and thrie hundreth thoufand merkis; at laft the mater wes voted, and the number of thofe who yeelded to thrie hundreth thoufand merkis prevailling be foure or fyue, ane new queftion arraife, vpoun the power of counfallours votes, not being officers of eftate, the nobilitie, barrons, and burgeffis, contending that fuch counfallours had no vote in conuention; and fo thair votes being abftracted, thefe who reftricted the fowme to two hundreth thowfand merkis fould prevaile. To which it being anfuered, that the queftion wes vntymelie, and vnneceffar, fince it wes not proponed in the beginning of the convention, and could be grounded on no better reafon at this tyme nor in former tymes; thay faid, that thair wes no warrand for the vote of fuch counfallours in conuentions, and albeit thay wer all affured that your maieftie wald neuer intend iniurie, wrong, or preiudice to any of your eftates and fubiectis, vpon whom your maieftie had beftowed fo many great benefites, yet, if this preparatiue fould haue withgait, efter-cuming princes counfalled be ftrengers, might appoynt fo many counfallours, as thair number might ouerfway the eftates, if thay had vote, and bring what burdingis vpon the cuntrie be taxations and vtherwayes the prince pleafed: And

preaffing my Lord Chancelar to put the mater in voting, which he cairefullie declyned, to wyn tyme, and find fum expedient, he commanded me to reafoun the mater, alledgeing that I wes ane olde counfallour. I anfuered, that albeit for yeires I might be reckoned amongis your maiefties olde feruandis, yet I wes reduced to be ane prenteis be the noueltie of propofitions now made: that I neuer hard this dowt moued in any preceiding conuention, whair I had fene counfallours many tymes fit and vote, and that none appeired fo bent in the mater as the fmall barrons, whoes privilege being latelie purchaffed with thair money, the eftate of the bypaft conventions wes better knowne to many vthers nor to thame. I thoght it neidles to luke to far bak to the antiquitie, contenting my felf with the relation of that which in the long courfe of your maiefties bleffed regne had bene obferued, during which tyme I vnderftude that almoft in all conuentions, and fpeciallie when taxations and vthers moft important maters wer to be concluded, thefe of your maiefties Privie Counfall had comonlie vote, for which I alledged fum notable inftances. To all which, the greateft number of the eftates, except the prelates, oppofed fo inftantlie that thay wald not confent to proceid, whill the queftion of taxation wer of new voted, your maiefties counfallours not being officers of eftate, being fecluded, as having no vote in the conuention, which your maiefties officers thoght ane poynt of fuch moment, as we counfalled my Lord Chancellar rather to tak any vther gude expedient, nor fuffer thame expreflie to prevaile in thair defyre, withowt your maiefties knouledge, which he wyfelie confidered and cairfullie debaited. Oure opinions concurring, that your maieftie wald rather allow or ouerfie any vther courfe, nor, that we fould haue prefumed to determine vpon fo heigh ane poynt, before it wer fignified to your maieftie, and we directed in oure dewties be your maiefties anfuer; and fo, thay perfifting, and we not yielding, we intended rather to haue continowed the conuention to the fecond of Apryle, nor to haue geuin way to thair defyre; bot my Lord of Santandrois, diflyking ane diffolution of the eftates and counfall, in contrarie termes, and the nobilitie, barons, and burgeffis ftill vrgeing that the propofition of the taxation might be of new voted, and the counfallours to be aither excluded or commanded to be filent, and

notwithſtanding all the entreatie and reaſons could be geuin to thame be my Lordis Chaucelar, Theſaurar, and Archibiſchops of Santandrois and Glaſgo, thay remaning vnalterable from thair begun oppoſition, it wes at laſt reſolued, as *minus malum*, that the counſallours being the nixt day abſent from the conuention, it ſould be generallie motioned be my Lord Chancelar to the eſtates, and to your maieſties officers of eſtate, that thay wald declaire what thay thoght moſt fit to be done for the wyſe and dewtifull concluding of the mater for which we wer convened, and that the opinion of foure or fyue of the principals being demanded, the whole number ſould generallie applaude to thair grant of two hundreth thoufand pundis at verie ſchort termes; theſe who wer moſt ſtrict, profeſſing that thay caired not ſo much for the money, as for the danger of the conſequence, which thay feared might enſue be thair admiſſion of counſallours to haue vote amongis thame. So, as all men being in expectation of ane peaceabill and vniforme concluſion, I wes this morning forewairned be my Lord Chancelar, that he hard that thay wer to impugne the Theſaurar deputes vote, becaus he wes not ane officer of eſtate. I anſuered, that I had euer ſene Sir Robert Meluill and Sir John Arnot, when thay poſſeſſed the lyke office, have vote bothe in conuentions and parlements; bot becaus I wes aſſured be his lordſhip and vtheris, that the oppoſants wald ſtand to the mater, and rather delay all, nor admit Sir Gedeon, I forewairned him, and fand that he wald neuer, for the ceremonie of one dayes acceſſe, diſturbe ane mater ſo neceſſar for your maieſties ſeruice, ſince your maieſtie, at the parlement, might do what you fand good and iuſt in that and vther pourpoſes of the lyke nature, whairin your maieſtie had greater intereſt nor your temporarie and alterable ſeruants. And ſo the eſtates convening, and ſeing him and the counſallours abſent, my Lord Chancelar proponed the mater as wes proiected to the Erle of Mar, who voting that he thoght it expedient that your maieſtie ſould haue ane taxation of two hundreth thouſand pundis, the half thairof to be payed at Mertimes nixt, and the vther half at Witſonday 1618, all the nobilitie followed his opinion, with vniforme applauſe of prelatis, barons, and all the reſt of the conuention. If thair be any thing in this whole mater, whairof your maieſtie aither diſlykes the ſub-

ſtance or forme, I moſt humblie beſeik your maieſtie to reſerue your reſolution to your ſelf, and not to expreſſe be wourd or letter any paſſion or offence, ſince, at your maieſties being heir, your maieſtie may expect more perfyte ſatiſfaction nor can be wroght before that tyme; and if your maieſties pourpoſe be ſoner expreſſed, it will be more eaſie for theſe that hes ane contrare diſſein (if any ſuch be, which I can not ſuſpect) to ſuggeſt indirect diſturbance, nor thay can be able to do, if your maieſties intentions be concealed. So, wiſhing that the ioy and happines of your maieſties journay to Scotland may equall and exceid that of your firſt entrie in England, which is the true paterne of the moſt acceptable and proſperous iournay that euer any king made before this day; and beſeiking God to protect your maieſties perſon, direct your affaires, and prolong and proſper the yeires and felicities of your maieſties lyffe and regne, beyond the tyme and ſucceſſe of the happieſt that the worlde did euir ſie, I reſt

Your moſt ſacred Maieſties moſt humble, faithfull,
and moſt bund ſeruant,

Binning.

Edinburgh, 7 Merche 1617.

CLXVI.—THE LORDS OF COUNCIL AND SESSION TO KING JAMES VI.

Most Sacred Souerane,

Your maieſteis gracious favour having placed ws in your College of Juſtice, wyſelie inſtituted be your moſt renouned grandfather, King James the Fyft, of ane definit and certane number of Ordinar Senatours, with ane Preſident, and the Lord Chanceler, and ſic vther Lordes as ſould pleas the kinges grace to inioyne to thame off his great Counſell, to haue vote with thame to the number off thre or four; our want off

that grace and favour, which your maieſtie being in this kingdome, did vſuallie vowchaiſſ to ws, be your royall preſence amongis ws, and conſtant protectioun in everie thing which might concerne the dignitie, authoritie, and privileges of this ſenate, conſtraines ws to trouble your maieſtie with this moſt humble petitioun: That your maieſtie may be graciouſlie pleaſed to remember, that iuſt occaſiones, beſt knowne to your ſelff, having moved your maieſtie to remove the Lord of Blantyre from the Extraordinar place poſſeſſed be him in Seſſioun, and to diſpone the ſame to the Lord Elphinſtoun, the humble and inſtant interceſſioun of the Lord Blantyres freindes, and your maieſties gracious conſideratioun off his long ſervice, did ſo prevaile with your maieſtie, as yow wer induced to appoint him to haue ane ſupernumerar place amangis the Extraordinars. At which tyme the Lordis of Seſſioun, informing your maieſtie of the preciſe ordour off the firſt inſtitution, which appeired to be greatlie preiudged be the Lord Blantyres admiſſioun, your maieſtie wes not onelie then pleaſed to promes, *in verbo principis*, to ſupprefe the fyſt place ſo ſone as it ſould vaick, bot ſenſyne in the yeir off God 1610, your maieſtie, having be your warrand ſend to ws with the Erll off Dunbar, diſcharged all the Extraordinars, and thairefter reponed four of thame, as the number agriable to the firſt inſtitutioun, without any warrand for readmiſſioun off Maiſter Peter Rollock of Piltoun,—his freindes reprefenting to your maieſtie, the vndifferued diſgrace which he ſhould ſuſteane, iff, having allwayes behaved him ſelff faithfullie in your maieſties ſervice, and dewtifullie in his publict imployment, he ſould onlie ſuſteane the mark off diſgrace, being excluded when his collegues wer repoſſeſſed, your maieſties deſyre to reduce our number to the firſt inſtitutioun wes thair greateſt and onlie difficultie. At laſt, your maieſtie wes pleaſed to remove, with this claus added to his new prefentatioun, that your maieſtie promitted, whenſoeuer any off the fyve Extraordinar places ſould vaick, your maieſtie ſould ſupprefe the famyn, and neuir grant prefentatioun to any Extraordinar places above the number of foure; as the act of the ſaid Maiſter Peters admiſſioun, extractit furth off our Sederunt booke, ſent heirwith, dois cleirlie teſtifie; and thairfoir the Lord Blantyres place being now voyd be his deceis, our knawledge off manye incon-

venientis, which may refult off the exceffe off that number, which wes firft appointed be our inftitutioun, hes induced ws moft humblie to befeik your maieftie, be thir lynes, to embrace the occafioun now offered, to performe your moft wyfe and juft intentioun, and to fend to ws your maiefties grace's warrand in wreatt, for our perpetuall affurance thairof, whairby your maieftie may be releived from the importunitie off the iniuft fute off fuch as fall defyre to be provided to ane place, when none is dewlie vacand; and we alfo may be fred off all conteftatioun with any who fall feik entrie amongis ws, with preiudice and derogatioun off our privileges. So, hoping your maieftie will adde this fauour to the infinit benefites beftowit vpoun the whole bodie of your Seffioun, and the particular members thairoff, we will faithfullie promitt, that our caire and diligence, in the difcharge of the dewtie off our places, fall mak the increas off our number als vnneceffar, as it is hurtfull to the dignitie off the judgement and integritie off our firft inftitutioun; and fall endleflie pray to God, that your maiefties regne may be memorable beyond all that euir preceided yow for number off yeeres, and accompleiffed profperiteis, and that your royall iffue may be worthie fucceffours off your vertue and happines, to the worldis end.

Your moft facred Maiefteis moft humble and faithfull
fubiectis and feruantis,

DUNFERMELYNE, CANCELLS.
BINNING.
KILSAYTH.
QUITTINGHAM.
GEORGE HAY.
CARNEGY.
G. MURRAY.
L. CRAIG.
A. HAY.
J. HAMILTON.
R. COKBURNE.
W. OLIPHANT.
SR. J. SKENE.

Edinburgh, 13 Marche, 1617.

To the King his moft facred and
excellent Maieftie.

CLXVII.—LORD BINNING TO KING JAMES VI.

Most Sacred Souerane,

The Conuention being concluded in maner conteaned in my letter of the 7 of this moneth, the perfute criminall wes renewed aganis Geicht, whofe lawers, according to thair cuftume, feiking delayes, began to difpute iudiciallie vpon the Counfals power to appoynt ane juftice depute. One of the Ordinars being deadlie feik, and the vther laufullie declyned, fo fone as I hard of it, I foght the approbation and affiftance of my Lord Thefaurar, the Clerk of Regifter, and fum nobilmen of the Counfall being prefent, to repreffe the infolence of that attempt; and with thame went directlie to the Juftice Court, and reprefenting to the lawers the enormitie of thair fault, gaue prefent command to the clerk to deleit furth of thair boukes all that was writtin vpon that fubiect, with publict intimation to thefe lawers, and all vthers of thair profeffion, that if thairefter any fould prefume to moue the lyke queftion, the rigour to be vfed be the Counfall in thair punifhment, fould mak them to know and feele thair power; which my Lord Thefaurar confirmed with ane verie graue and wyfe fpeich, whairby the lawers wer broght to acknouledgement of thair fault, and craving pardon for it, with promeis not to commit the lyke; whairvpon enfewed ane verie modeft and ciuill difputation. And albeit the defendars did vfe many meanes of delay to gayne tyme, whill thay might find tyme for fum beginning of hope of grace and fauour from your maieftie, yet it wes with reuerence to the Juge and affeffours, and in termes of law. Whill be packet of the 7, my Lordis Chancelar, Thefaurar, and I, reffaued your maiefties letter, commanding ws to intimat to the Erle of Erroll, your maiefties permiffioun to him to heir and accept offers of condigne fatiffactioun for iniuries or wrongis

done to him or his freindis: which being accordinglie performed be ws, he then kythed als willing to accept, as before he had bene conſtant (if not obſtinat) in the refufall of all freindlie dealling, profeſſing that befyde the pruif of your maieſties many preceiding benefites, he wes fo far bund to your maieſties vnchaingeable refolution to furder him to iuſtice in this caufe, that he might be reputed the ingrateſt of all men, if he fould not be equallie reddie to perſiſt or deſiſt, as your maieſtie fould be pleafed to command him; and wes fo conforted when I fchew to him that your maieſtie had caufed my brother wryte to me, to giue him your maieſties hairtie thankis, for his dewtifull inſtance in his perfute, and not yeilding to any offer of fatiffaction without your maieſties direction, that he craived, as ane fingular fauour, that we wald permit him to fchew to his principall freindis your maieſties letter, and that I fould declaire, in thair heiring, what your maieſtie had commanded my brother to wryte thairanent. So, as I cannot expreſſe which of the two pairties acknowledgis thamefelfis moſt obleiſſed to your maieſtie, for the moſt wyfe and gracious ordour preſeryued be your maieſtie in this buſſines, whairin the Erle of Errol wald yield no farder, bot to ane continowation to the 18 of Junij, vpon fure caution for Geightis compeirance at that dyet, profeſſing that he wald accept no fatiffaction of the pairties, whill firſt thay fatiffie your maieſtie.

The Gudeman of Rentons abſence from this towne forced me to delay the accompt of my proceiding in your maieſties direction concerning the fchiref-clerkfchip of Berwik. Rentons reafons wer, that be his commiſſion he had power to appoynt officers and members of court; that be the actis of parlement, the fchireffis wer haldin to anſuer for thair clerkis, which they could not do if thay had not libertie to place and diſplace thame; that he could not expect obedience of ane clerk not depending vpon him, nor ſubiect to his cenſure; that it wes not expedient that the clerkſchip fould be geuin to ane non reſident in the fchyre to attend the ſeruice. My humble opinion is, that the geuing power to ane fchiref, hauing commiſſion onlie for one yeir, may produce many inconvenientis; for it is to be expected, that the fchiref of the nixt yeir, will, owt of his

acquentance or affection, mak choice of ane vther the nixt yeer; and fo from yeir to yeir, making the clerkis alterable, thair court boukes fall fall in confufion, and the fchyre in difordour, all the members of court being alyke ftrengers to that which hes bene done in that jugement before thair entrie; whairas ane fufficient man being appoynted clerk *ad vitam*, as your maieftie hes done in the moft pairt of all the fchyres, being in your maiefties handis, thair knouledge of the courfe of the affaires, and ftyle and ordour of the iurifdiction, will bothe inable thame to difchairge thair owne place with fufficiencie, and fupplie the inexperience of the new entering and oft chainged fchireffis. It is trew that it wer proffitable that the fchiref-clerk fould mak conftant refidence in the fchyre, bot the moft pairt of thame that does fo ar of fmall meanes and fkill, and many tymes of dowtfull integritie; whairas, if ane honeft man of gude knouledge haue the office, with power to depute fik as he muft anfuer for, he will be bund to haue ane watchefull ey vpon his clerkis diligence and trewth; and when any dowt or queftion arryfes in that inferiour court, exceiding the fkill of the fchiref and clerk, the mater being fignified to him, he may aither be his owne knouledge, or confultation with his collegues, aduocats of the beft fkill, direct be his counfall the judge and clerk, to do that which with beft warrand may determine the controuerfie, and fatiffie the pairties be juftice; the confideration whairof, I humblie fubmit to your maiefties heigh wifdome.

The Lord Biantyre being now deceaffed, the Senatours of your maiefties College of Juftice haue fent heerwith thair moft humble fupplication to your maieftie to fuppreffe that fupernumerar place, according to your royall and moft gracious promeis.

Sir George Erfkin having deliuered your maiefties prefentation, is put to his tryall, and hes geuin fo gude fatiffaction in the beginning thairof, that he is to be admitted to morrow, God willing.

My Lord Thefaurar being informed of the exorbitant preiudice done to this cuntrie, be tranfport of the beft of your maiefties coyne, and inbringing of forayne gold and filuer, and expofing thairof aboue the iuft availl, hes urged reformation of it, which all men acknouledge to be rea-

ſonable and neceſſar; bot becaus vntymelie reformation may mak *remedia malis peiora*, the officers of your maieſties mint and vthers, of beſt knouledge in maters of coyne, ar ordaned to be before the Counſall vpon Wednifday nixt, to conſult of that buſſines, the event whairof ſall be ſignified to your maieſtie.

Sir James Cuninghames propoſition, concerning the Indian Cumpanie, is alſo continowed till the Counſall heir the opinion of ſum of oure merchandis of beſt experience, vpon the condicions and prouiſions neceſſar in ane mater of ſuch conſequence and noueltie in this eſtate.

Sir William Hairt being now deceaſſed, who had ane yeirlie fie of your maieſtie of fyue hundreth pundis, my Lord Chancelar thinkis, if your maieſtie may be pleaſed, to delay the appoynting of any new depute or judge for that court, till your cuming to this cuntrie, your maieſtie may haue opportunitie, in the approcheing parlement, to reforme and eſtableis the criminall judicature, in more perfyte ordour nor hes bene done in any bygane tyme within this kingdome.

The Counſall intendis to command your maieſties Maiſter houſhaldis, and ſum of the ancient feruandis of your maieſties houſe, to convene and vndertak the direction of all thingis concerning your maieſties houſe, and to appoynt ſeuerall officers to all ſeuerall chairgis, whairin much may depend vpon the information of James Maxuell and William Rydar, who wald be haiſted hither for that effect.

Kinfawnis is writtin for to be heir to tak ordour for the Erle of Craufurds tranſport; bot I heir that he will not vndertak ſo much as hes bene promeiſed in his name in that pourpoſe, whairof your maieſtie ſall haue farder certantie be my nixt.

Capten Murray, who hes bene long hindered be contrare windis, is now vpon his voyage touardis London, for tranſport of your maieſties prouiſions to this cuntrie.

The Maiſter of Elfinſton hes promeiſed to ſignifie to his father, your maieſties pleaſour concerning his ludgeing neir Halyrudhous, and to report his anſuer to the Counſall, which no dowt will be moſt hairtelie obedient. So, begging pardon for this too great interruption of your maieſ-

ties royall affaires, I pray God to grant, without difturbance or interruption, the longeft and happieft regne and lyfe to your maieftie, that euer any king enioyed. Edinburgh, 14 Merche [1617?]

Your moft facred Maiefties moft humble, faithfull,
and bund feruant,

BINNING.

To the Kingis moft facred Maieftie.

CLXVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST GRATIOUS SOUERANE,

WE reffauit your maiefteis lettre, with the petitioun preferred vnto your maieftie, on the behalff of the foure ordinair maiffaris, by the whiche thay craued that your maieftie wald be gratiouflie pleafit to modifie vnto thame a certane fee and dewitie, to be payit be noble men and knightis, the tyme of thair preferment to thair degrees and rankis of honnour; and how that youre maieftie hes delayit the granting of thair petitioun, till we, after confideratioun of the nature and confequence of thair fute, fould refolue youre maieftie of oure opinioun thairanent. According to your maiefteis directioun, we haif confidderit thair fute, and we find, that, as thair attendance vpoun youre maiefteis honnouris, bothe in parliamentis, and at all other tymes of ony folempnitie, is verie requifite and neceffair, and hes beene in continuall cuftome and obferuatioun, paft memoir of man; fo thay haif euer bene in vfe to reffaue, frome noblemen and knightis, the tyme of thair creatioun, fome free and willing acknow-

ledgement for thair panes and attendance, whilk verie aft did furmont that whilk thay now crave to be modifeit vnto thame. And becaus the herauldis and trumpettis, whofe fees and dewyteis wer formarlie arbitrall, according to the difcretioun and liberalitie of the pairtye, hes of laite gottin a conftant and certane dewitie modifeit and appointit vnto thame, to be payit at fuche folempniteis, the maiffaris tooke thairupoun purpois to be fuitaris vnto youre maieftie, leaft that pairtyis taking holde of the not appointing and modifeeing of a conftant and certane dewytie to thame, as is done to the herauldis and trumpettis, fould mifknowe bothe thair attendance and acknowlegement. And thairfoir (faulffing youre maiefteis better opinioun), we think thair fute and petitioun reafonable, except in that pairt thairof anent the fee of knightis, whilk we haif modifeit to tuentie merkis; and we allow of the other fees as thay ar fett doun in thair petitioun, viz. for ane erll, fourefcoir pundis; for ane vicount, ane hundreth merkis; for ane lord, fourefcoir merkis; and for a knight, tuentie merkis, as faid is. And yf it fhall pleis youre maieftie to allow of this oure opinioun, and accordinglie to expeid thair fuite, it will putt thame in a certantie quhat to craue, and the pairtyis in a certantie quhat to pay. And fo, with oure humble prayers vnto God, recommending youre facred maieftie to his divyne protectioun, we reft for euer

Your Maiefteis moft humble and obedient
fubiectis and feruitouris,

Al. Cancells.	Binning.
A. Mar.	George Hay.
Tullibardine.	W. Oliphant.

Edinburgh, thrid of Aprile 1617.

To the King his moft facred and
excellent Maieftie.

CLXIX.—LORD BINNING TO KING JAMES VI.

Most Sacred Souerane,

Remembring your maieſties expres direction, that ordour might be tane for releiving your maieſtie from the importunitie of vntymelie and vnreaſonable ſutars, and ſpeciallie theſe who might interceid for forfalted or diſabled perſons, I haue framed the ſubſtance of ane proclamation, which I ſend herewith to your maieſtie, to be ſene at your gude laiſer, and directed to be amended, whair your maieſtie findis any thing to be added, paired, or altered. I haue alſo maid mention of ſutes of all vther kyndis, and inſert ane clauſe aganis the releif of bankrupt priſoners, all which I humblie ſubmit to your maieſties cenſure, which, being expreſſed be letter, and this forme ſent bak, ſall be corrected and publeiſſed according to the ſignification of your maieſties pleaſour.

The note ſent heirwith will informe your maieſtie of all that we haue done in counſall the laſt of Apryle.

The greateſt difficultie which occurris to ws in the preparations for your maieſties remoues, is in the tranſport of your maieſties cumpanie, and cariages, at Leith and Dundie, whairof thair is no poſſibilitie, in reſpect of the ſcaircetie of boates, if the moſt pairt of all your maieſties trayne ſall not pas at Leith, Queniſſerrie, and Stirling, before the day of your maieſties remoue from Edinburgh to Falkland; and when your maieſtie goes from Falkland, it is not poſſible to the boates of Dundie to tranſport, in one day, the tent pairt of your maieſties trayne. The onlie remeid will be, if your maieſties followers prevent the day of your remoue from Falkland, going be Sant Jhonſton, and taking thair bagage with thame. Beſyde that, it is not ſene how your maieſties ſtuffis can be tranſported, and in due tyme placed at Kinnaird, vnles your maieſtie ſtay two nightis at Dundie, in your firſt paſſage, and mak the lyke ſtay at Dundie in your returne from Kinnaird. And albeit, I feare, that this neceſſar chainge of giſtes may offend your maieſtie,

yet, fince thay can not well be remeded, I think it more agreable to my duetie to fignifie it to your maieftie in tyme, nor by concealing it now, to expreffe it when the difficultie of remeid fall mak the vntymelie difcouerie more iuftlie offenfiue to your maieftie. So, humblie prayeing your maieftie, to allow and command the counfall to preferyue the ordour which may beft agrie with the eafe and vfe of your maieftie, and your followers, I befeik God to encreas the happines and contentment of your journay, and bring it to ane moft profperous and joyfull end. Edinburgh, firft of May [1617?]

Your moft facred Maiefties moft humble,
faithfull, and bund feruant,

BINNING.

To the Kingis moft facred Maieftie.

CLXX.—NOTE OF THE PRIVY COUNCIL, REFERRED TO IN THE PREVIOUS LETTER AS TO HIS MAJESTY'S RECEPTION.

VLTIMO APRILIS 1617.

THAIR is a proclamatioun publift at the mercat croce of Edinburgh, and accordinglie is to be publift in all the heade burrowis of this kingdome, declairing at length his maiefties eirnift defyre to vifite this his antient kingdome, and the naturall longing that his maieftie hes had thir mony yeiris bigane to come heir, and how that now all the impediments quhilkis hinderit his majefties refolutioun anent his heircomeing being removed, his maieftie hes begon and almaift accomplifheit his jornay and progres, with moft confortable and happy fuccefe; and thairfoir commanding all his maiefties goode fubiectis of this kingdome to be thankfull to

God for the confortable and happy fucceſſe, that his maieſtie hes had in his jornay, and nixt to be thankfull to his maieſtie for the panes and travellis that his maieſtie hes tane in his awin perſone to come to this cuntrey, and in manifeſtatioun of thair thankfulnes to his maieſtie, to ſhowe taikynnis of curteſie, hairtlynes and humanitie, to the noblemen and otheris of the kingdome of England, that ar to come heir with his maieſtie, and to offer na mater of offence to thame by reprotche, worde, deid, countenance, nor otherwayes, and that all the ſubiectis of this kingdome contene thame ſelffis in quietnes and in ciuile ſotietie, euery one of thame with another, and on nawiſe to perſew nor invade one another by worde, deid, countenance, nor otherwayes, vnder the pane of deade.

And becaus in the placeis of his maieſties aboade in this kingdome, his maieſtie will ſometymes neceſſarlie haif occaſion to recreat himſelff in the feildis, proclamationis ar exped and publiſt, diſchargeing the ſlauchter of moorefoule, partridges, and pouttis, within ten myllis of the placeis of his maieſties aboade, and commanding the ſame to be cairfullie preſerued and hayned for his maieſties paſtyme and gayme.

In reſpect of the diſordour and confuſioun that hes been in preceding parliamentis anent the putting of a confuſed nomber of articlis and petitionis, without forme, ordour, and formalitie, a proclamatioun is exped and publiſt conforme to the act of Parliament, concerning all perſonis that hes ony articlis or petitions to gif in to the parliament, that thay gif in the ſame in dew and lauchfull tyme aſoir the parliament to the Clerk of his Maieſties Regiſter, to the effect the ſame may be conſidderit be thoſe quhome it apperteyneth, with certificatioun to thame that failyes, that the ſame ſall not be reſſauit thairefter.

Thair is new aduertiſement ſend to the biſhop and to the magiſtratis of the citie of Brechine, and to the magiſtratis of the toun of Monrois, to caus all neceſſar prouiſioun of viuers for horſe and men, be abundantlie prouydit in thair townis, for his maieſtie and his tryne, and to caus haikis and mayngeris be ſett vp in barnis for the better ſtaibling of his maieſties and his trynes horſſes.

Directioun is ſend to the Erll of Home, that he, accompanyed with the baronis and gentlemen of his kin, freindſhip, and dependance, all in goode

equippage, and weele horſit, ſall meete his maieſtie at the boun rod, and convoy his maieſtie thairfra to Dunglas, and fra that to Pencraik, beſydis Lyntoun boiggis; and the lyke directioun is ſend to the Erllis of Wyntoun and Lothean, the Lordis Yeſter and Cranſtoun, and to the Vicount of Lauderdail, to meete his maieſtie, accompanyed with the baronis and gentlemen of Lotheane at Pencraik, and to convoy his maieſtie thairfra to Seytoun, and vpoun the morne thairefter fra Seytoun to Edinburgh; and the lyke directioun is ſend to the ſhireff of Fyffe, for the ſhirefdome of Fyffe; and to the ſhireff of Forfar, and to the Erll of Errole and Lord Carnegy to attend his maieſtie to Doundie, and to convoy his maieſtie thairfra to Kynnaird; and to the ſhireff of Kincairdin, that he or the Lord Keith his ſone, accompanyed with the baronis and gentlemen of the Mernis, all weele horſit, and in goode equippage, ſall attend his maieſtie at Kynnaird, and mak his convoy thairfra to Dundee.

Directioun is ſend to the magiſtratis of Arbrothe and Forfar, to caus thair townis ſufficientle prouide and furniſh with all kynd of viuers and otheris neceſſaris for horſſe and men.

Becaus thair is a nomber of difficulteis proponned and obiectit anent his maieſties cariage at the ferry of Dundee, in reſpect of the multitude of paſſingeris and cariage, and the few nomber of boitis to tranſporte the ſame, that mater is remittit to be reſolued vpoun be his maieſtie and his counſaill at thair meeting at Beruick.

And to the effect that in the meantyme all thingis may be the better prouydit and in reddynes, in caiſe his maieſtie, vpoun goode conſiderationis, ſall tak occaſioun to mak his progres fra Falkland to Dundee, to be the firſt night at St Johnneſtoun, and fra that to Dundee; directioun is ſend to the magiſtratis of St Johnneſtoun, to prouyde thair toun with all kynd of viuers and neceſſaris for men and horſſe, and to reporte to the counſaill vpoun Satterday nixt, how and quhair his maieſtie may be commodiouſlie ludgeit in thair toun, and how his maieſties cariage may be careyed alangis the bridge without harme to the bridge.

The counſaill hes writtin to the convenour of the iuſtices of peace within the ſhirefdome of Perth, that ordour be tane for lifting of the cariage at Perthe, and careying of the ſame thairfra to Forfar, and the lyke

directioun is gevin for the ſhirefdome of Forfar, anent the careying of the cariage fra Forfar to Kynnaird.

And becaus the townis of Forfar and Arbroithe lyis eweſt to Mure Rewmonth, ſua that it is liklie that ſome of his maieſties tryne and followars ſall mak thair addreſſe thair for ludgeing, the magiſtratis of theſe townis ar writtin to, to caus thair townis be weele and abundantlie furniſt with all kynd of viuers for men and horſſe, and with goode naiprie and bedding.

CLXXI.—LORD BINNING TO KING JAMES VI.

Most Sacred Souerane,

Since my laſt, we ar aduerteiſed that the Lord Olifant, having conſaued ane deſperat malice aganis Patrik Olifant, his neireſt kinſman and heire apparant; withowt any diſcouerie or denunciation of his evill will, enterteaned him in his howſe, and at his table, with ſuch familiaritie and freindlie countenance, as became men ſo neir in bloude, till Wedniſday laſt, that having ſouped together in Dipline, and ſtanding in the hall before the fyre efter thay had ſowped, Patrikis doublet and cloathes being lowſe, the Lord Olifant, vpon the ſuddane, withowt any ſchew of diſpleaſour in wourdis or countenance, gaue to Patrik ane great and dangerous wound in the bellie vnder the navill, which is iudged to be moſt deadlie. As yet we haue not aſſurance of the gentilmans death, bot none that have ſene him think he can leive. The malefactour is fugitiue; and, if the patient die, it is thoght it will equallie indanger the offendars lyfe and eſtate, whairin I will affirme no thing raſhlie, bot onlie entreat your maieſtie to forbeare to diſpoſe vpon his eſcheat or eſtate, till your maieſties chancelar and theſaurar cum to yow to Berwik, with whom yow may reſolue what is moſt convenient thairin.

All your maieſties ſtuffis ar now arryued, praiſed be God, withowt ſkaith, bot not withowt danger. Vpon Fryday the 27 of Apryle, one of

your maiefties fchippis, laidned with the moft of your precious furnitour, wes forced to faill ane anker and ane cabill; and, vpon Thurifday laft, ane bark carieing aboue the value of twentie thoufand pundis, wes conftrained to hew hir maft, and is now faif in Leith harbrie. So I hope in God that all perrell, both be fea and land, is paft. I have fent the forme of ane letter with ane roll of the counfallours names to be confidered and directed be your maieftie, as your excellent wifdome fall feme convenient. So prayeing God, who hes conducted your journay by fo happie progres, to bring it to ane profperous and joyfull end, I reft

Your moft facred Maiefties moft humble, faithfull,
and bund feruant,

BINNING.

Edinburgh, 3 May [1617?]

To the Kingis moft facred Maieftie.

CLXXII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

PLEAS YOURE SACRED MAIESTIE,

VPOUN the firft aduerteifment maid to youre maiefteis feruitour, Sir And. Bowye, of the vnfortunat deathe of his laite fufter, youre maiefteis laundreffe, he craued licence of ws to mak his addreffe to youre maieftie, to be a humble fuitar, that youre maieftie wald be gratiouflie pleafit to prefer his wyfe to that feruice; and the rather for that his moder, grandmother, and laite fufter, cairfullie and faithfullie ferued thairin. Bot the neceffitie of his attendance heir at this tyme vpoun youre maiefteis affairis and feruice being fo vrgent, as hardlie could we yeild to his defyre, we haif prefomed to fupplee the fame, by oure lettre and humble intercef-

ſioun vnto your maieſtie in his fauour, that this ſeruice whairin he pretendis ſuche kyndnes, may be gifted to his wyffe, quhairby, as he ſalbe the more able to attend his awne ſeruice with ſuche reſpect, credite, and dewytie as apperteyneth, ſo he wilbe no les cairfull that his wyffe, with the lyke reſpect and credite, ſhall approue hir ſelff worthie of this place and charge. And ſo craueing youre maieſteis pardoun for this oure preſumptioun, and praying God to bliſſe youre maieſtie with a long and happie reignn, we reſt

Youre Maieſteis moſt humble and obedyent
ſubiectis and ſeruitouris,

AL. CANCELLS.	GEORGE HAY.
D. SCONE.	G. MURRAY.
BINNING.	W. OLIPHANT.

Edinburgh, 6 May 1617.

To the King his moſt excellent and
ſacred Maieſtie.

CLXXIII.—LORD BINNING TO KING JAMES VI.

MOST SACRED SOUERANE,

THE occaſion of my vntymelie troubling your maieſtie with thir lynes, is for the proclamation formed be your maieſties direction, and ſent heir to be exped and publeiſſed; which being red this day at the meiting of ane few number of your counſall with my Lord Chancelar, exception wes takin aganis the article neir the end, which enioynes the payne of death to ſuch as ſall interceid for fauour to forfalted traitours, etc.; or to thair wyfes, bairnes, or vthers diſabled or diſinherited perſons, becaus thair

is no expres act of parliament for it, and that the offence of requeafting can not differue fuch payne, fince it is in your maiefties power to grant or refufe. I anfuered, that I hard that fum particular actis of parlement had bene maid thairanent in your maiefties minoritie, and that I had red fum actis of fecret counfall and proclamations maid vpon that fubiect: and confaued that your maieftie fand it more reafonable, that be publication of the proclamation, the importunitie of thefe who intended to trouble your maieftie with requeaftis of that vnreafonable kynd, might be prevented and reftrained, nor that your maieftie fould be put to the fafcherie of conteftation. Bot becaus the want of your maiefties hand to the warrand, wes the pretext of the difputation and delay to pas the proclamation, I have returned it heirwith, prayeing your maieftie to confider of this controuerted claufe; and if your maieftie find it to be altered, that James Douglas may be informed of your maiefties pleafour anent the fubftance of any thing to be reformed in it. Bot if it can not cum to this towne before Thurifday at night, it may be delayed till the counfals cumming to your maieftie to Berwik; and if it be foner fent, it is expedient that your maieftie, be your letter, lat the counfall know your pleafour anent the paffing thairof, withowt any notice of oure controuerfie, becaus it wes in verie calme and moderat termes, and the mater merites your maiefties owne confideration and refolution. It is thoght the Maifter of Olifant will not die of his wound. What is done in your maiefties vther directions will be knowne be the note fent heirwith. So, prayeing God daylie to increas the happines and contentment of your maiefties journey, I reft

Your moft facred Maiefties moft humble, faithfull,
and bund feruand,

BINNING.

Edinburgh, 6 May [1617?]

To the Kingis moft facred Maieftie.

CLXXIV.—LORD BINNING TO KING JAMES VI.

Most Sacred Souerane,

I will not abuſe your gracious patience with repetition of any pourpoſe conteaned in the note of the counſals proceidingis ſent heir-with. I expected the ſchiref of Tevidails cumming to this towne to giue his direct anſuer anent the condicions of his renunciation of his office, according to his promeis; in place whairof, having reſſaued ane generall and obſcure letter, which I intended to haue ſent your maieſtie, I haue delayed, at the earniſt intreatie of his brother-in-law, Maiſter Richard Douglas, who hes promeiſed to deale with him for ane more particular and pertinent anſuer. The cuſtumes being yiſterday to be rowped, the preſent cuſtumars, and vther merchandis, pretending the ſmall expectation of any benefite to be maid this yeir, in reſpect of the abundance of alde wynes in this cuntrie, and appeirand ſcarcetie and dearth of wynes in France, were vnwilling to mak any pertinent offer for this approching yeir, and maid inſtance for ane fyve yeir tak, which we wald not grant, nor proceid farder with thame, pretexing oure delay with the abſence of the principall theſaurer, till the nixt counſall day, appoynted to be the firſt of October. Bot the true cauſe wes, oure deſyre to know your maieſties pleaſour in the grant, or refuſe of thair deſyre of ane fyve yeir tak, and humblie wiſh that it may be returned to us before the firſt of October. At that tyme we wiſh alſo to vnderſtand your maieſties pleaſour anent ane poure fellow, maiſter of ane coaleſchip, of the Lowe Cuntries, tane and committed to priſon in the towbuith of Edinburgh, when the counſall reſſaued your maieſties commandement to ſeaſe vpon any of that cuntrie; ſo as none being at Leith bot this ſkipper, who is ſo deſtitute of freindis and meanes, heir, as he muſt leiue vpon almes, we deſyre to know whether your maieſtie will command his longer detention or libertie.

The wifdome of your maiefties refolution in the propofitions, concerning the bufinefs of the late Bordours, hes geuin fo gude fatiffaction to the landiflords, who compeired before the counfall in great number, as they have all willinglie acted thamefelues to obferue the order preferyved be your maieftie.

The marquis of Huntlie, and erle of Erroll, efter reconciliation, gaue thair confents to the regiftration of your maiefties decreit, before thay knew anything of the tenour thairof, which being now publeiffed, is judged wourthie be all men to be reuerentlie obferued be all pairties intereffed, who can neuer be able, by feruice, to requyte your maiefties wyfe and paynefull proceiding for thair gude. So befeiking God, be the continouance and encreas of his bliffingis, to recompens your maiefties fauours and benefites to your fubiectis, I reft

Your moft facred Maiefties moft humble,
faithfull, and bund feruant,

Binning.

Edinburgh, 11 Sept. [1617?]

To the Kingis moft facred Maieftie.

CLXXV.—THE EARL OF DUNFERMLINE TO KING JAMES VI.

This year (Maist Sacred Souerane), almaift now worne to end, hes bene vnto this land and kingdome a yeare off Jubile, and a yeare of fingulair joye; this kingdome being this yeare nocht onlie illuftrat, as all other years, be your royall and famous actiouns, bot alfo marveloufflie decored and inritched be yiour prencelie and glorious prefence and ma-

jeſtie: hes furneiſt greate comfort, vigour, and ſtrenthe to this haille eſtaitt, all members and pairtis thairoff.

The particuler ſucceſſe of ſpeciall actiouns I ſhall heir breiſſie, according to my bund deutie and cuiſtum, tuitche vnto your maieſtie, that ye may have a preſent vieu and jouiſſance of the froottes of yiour happie and good gouernament owir this peopill.

The end of the laſt yeare, and firſt entrie to this yiour counſall in this Eſtaitt, be yiour ordonance, beſtoued on the conſideratiouu and approbatiouu of certane articles, concludit at ane Generall Aſſemblie of the Kirk, keeped at Aberdene, in Auguſt before thir ſpeciall articles war approwin, that thair ſould be ane general Catechis formed, to be vniuerſalie teatched to all the youthis in this countrie: That in euirie pariſche thair ſhould be ane ſchoole; and in euirie pariſche, ane regiſter of the naymes off all borne and baptized, and off all died.

The Marqueis off Huntlie, and Erle of Erroll, be yiour facred majeſties good meanes, intreatie, argumentis, perſuaſiouns, and mediatiouu, hes bene at laſt reduced to conformitie in all neceſſair poynts and articles of relligiouu, and fullie reconciliat withe the kirk of this kingdome: Lykeas, yiour facred majeſtie hes alſo agreed the faidis tua nobillmen and thair freindis, in a particuler perrollus deadlie feade was fallin out amongs thame ſelfis, and lykelie to haue maide greate truble betuix thame, for ſlauchter and bloode betuix Laird of Gight Gordouu, and ane brother of the Erle off Errolls, and ſome others, his freinds.

The queſtiouu of bloode, ſlauchter, and all criminall or ciuill actiouns, betuix the faidis pairteis, being remitted, and compromitted to yiour maiſt royall majeſties perſouu and arbitrall decreit, was, be yiour highnes, maiſt circumſpectlie, wyſlie, and amicablie compoſed and decydit, to baithe the pairteis eaſe and contentment; ſua that thej war baithe, by yiour prencelie command, before yiour Counſall, in September laſt, broght to full reconciliatiouu and amitie.

Ane other truble, appeirand to haue fallin out betuix the Erle of Perthe and Lord Lewingſtouu, for queſtiouns of mairtchis in thair wooddis, forreſts, and hountings, be yiour facred majeſties wyſe commande-

ment and directioun, was fubmitted to freindis of thair awin, and is finalie weel compofed.

The Erle of Mar, ane auld, truftie, and familiar ferward to yiour majeftie, from yiour infancie, be yiour prencelie ordonance, inftalled in the full plaice, dignitie, and adminiftratioun of the office of Threafaurarie in this kingdome, with greatte applaufe and allowance off all.

In Januar it pleafed your highnes, be yiour fauorabill letter, fignifie vnto yiour Counfall, yiour full refolutioun to honour this countrie withe yiour royall prefence in May efter, declairing thairwithe the reafouns mowed yiour facred majeftie to this determinatioun—reafouns full of wifdome, lowe, and kyndnes to this yiour native foylle. The letter was found fua worthie, and was fua acceptabill to the haill Counfall, as thaj thocht fitt copies of the fame fould be difperfed to all fchyres and diocefes, to make all yiour good fubjects acquent with this yiour highnes fauorable deffeynge, whilk rejoyced the hairtis of all good pepill in the land.

Ane Conventioun of the Eftaittis was drawin togither, onder yiour highnes authoritie, to mak all deu preparatioun for honnorabill reffaitt of yiour royall perfoun, and all yiour nobill companie.

The Eftaittes maift willinglie granted ane fubfidie off twa hundrethe thoufand pundis, to fupplie the neceffair chargis off fic ane extraordinair and maift honorabill erand.

Directiouns war gevin for reparatioun off all hie wayes, parfyting off all yiour facred majefties houffis, palices, and caftells; innumerabill craftifmen of all fortis entered to all warkis, all, be cair and diligence, maide readie in deu tyme, abowe all expectatioun; ffor the lyke was newir feene in this land of before: greatte ordour tayne for abundance and ftore off all prouifioums and viures for horffe or men, and for honeft ludgeings to all yiour majefties trajne and companies, in euirie pairt where yee war to refort.

Yiour majefties chappell in Halyroodhous, builde wp of new, with all ornamentis and deu furnitour, micht be requyred in any royall chappell, and maift manificklie dek't and fett furthe.

Furnitour off ſilwer wark, and plaitte, tapeſſerie, ritche beddis and bedding, and all ſic neceſſairis for ane royall houſe, ſend for be yiour ſacred majeſties awin directioun, and prowydit in greatte ſtore from all pairtis, whilkis, ſtill remaynis in yiour wairdropps and palices, may ſerue for many aiges, as the ſame ſerued yiour ſacred majeſtie at this tyme maiſt honorablie and plentifullie.

About the middis of Maij, yiour highnes entered in this kingdome, accompanyed withe good number of yiour highnes nobilitie, prelatts, officers and counſallours of Ingland, and good number alſo of nobillmen, officers and counſallours of this Eſtaitte, ſic as yiour majeſtie had ordoned and commandit to meett yiow at Barwicke.

Yiour ſacred majeſtie honored firſt my Lord Erle off Hoomes houſe of Dunglas, withe yiour maiſt gracious preſence; and nixt, the Erle of Vintouns houſe of Setoun; was in baithe the ſaidis nobillmens houſſis, with all yiour nobills, reſſaued and intertenyed to thair powar, althoc far onder yiour dew, yit to yiour contentment and all yiour companies, honorablie and magnificklie.

Then came yiour majeſtie to yiour awin palice off Halyeroodhouſe, making yiour entrie throw yiour good toun of Edenburght, whaire ye war maiſte joyfullie reſſaued, and viſited that kirk, hard preatching, and was conwoyed be the haill toun in honorabill ecquippage to yiour palice.

Thair was yiour majeſties maiſt ordinair reſidence Maij, Junij, and Julij, viſitting, alwayes, be tymes, Fyffe, Angus, Perthe, Sterlingſchyre, and other pairtis aboutt, baithe yiour awin palices, and nobillmenns houſſes in the countrie; till, in Auguſt, yiour highnes retired be the waſt countrie, from Glaſgow, Paſlay, Hammiltoun, Sanquhar, Drumlaynrig, and Lyncluden, to Cairleill in Ingland, and from that fordwart to yiour ordinair royall faitte at Londoun.

It wald require a greate volume to recompt the greatte benefitts and commodities, baithe the natiouns, Inglifche and Scottis, hes had in this yiour majeſties jornay and ſejorne in Scotland; all manifeſting yiour majeſties incomparabill wiſdome in that interpryſe.

Since yiour facred majeftie attayned to the Croun of Ingland, thair hes nothing bene done, nor meaned to, could advance and furder a perfytte vnioun of the twa natiouns, fua far as this hes done.

Yiour majeftie had heir, in yiour train and companie, a number of Inglifche prelatts, maift wyfe, learned, and grave nobilles, that merited juftlie the honour and ftille of nobilitie, and wald haue kyithed fua abowe others, in any ciuill corner of the warld, courteffe, honnorabill, amiabill, tractabill, circumfpect, euer readie to all woorthie actiouns, mowed be thair good behauiour all men in Scotland, to honour, reverence, and admire baithe thame and thair vertuis.

Lykeas, on the other fyde, be yiour majefties prencelie directiouns, yiour Counfall in Scotland ordoned all, fua as nayne of yiour trayne or court could fee or fynd anye thing in this land, might gif him any diftaifte, or occafioun of mifcontentment.

Plentie of all to all forts of men; all vfed be all poffibill ciuilitie, good ordour, and difcretioun, fua that thaj granted and affermed all thay fand, where ewir thaj war in this land, all the good treatment could be wifched in any good countrie, and all far from that barbaritie, thaj war almaifte perfwadit before, did regnne in thir northerne pairts. This maide a greate vnioun of the hairtis betuix baithe natiouns, the ane, fynding all honour and courtefie fua frilie offered to thame, and the others, finding all fua weell and thankfullie accepted, and fua weill thocht off and acknauledgitt.

In all the tyme of yiour majefties remayning in this kingdome (a mater marvelous and to be admired), in fua greate companies, and fua many nobillmen and great perfonages off tua natiouns conveyned, neuir any actioun, woord, or appeirance of any difcord, variance, or offence, betuix anye of the natiouns withe other, for whatfumewir caufe. I doubt giff euer the lyke hes bene fene, at fic occafioun off fua frequent a meiting of men, ftrayngers, and onknowen to other.

To augment and ftrengthin this amitie and kyndnes, yiour majeftie, maift wyflie and prencelie, admitted, fworne, on yiour Priuey Counfall and Counfall of Eftaitt in Scotland, good number of yiour nobles,

officears, and prelattis off Ingland, was heir withe yiow in companie: was all maiſt willinglie reſſaued, maide priuey and acquent withe all our proceedings, and alwayes honored to our powars.

Yiour majeſtie had thame, alſo, all withe yiow, in our Counſall Houſe and Seſſioun, or Souerane Court off Juſtiee in this kingdome, where, in yiour facred majeſties preſence, was ſyndrie actiouns, according to our ordinair formis, baithe diſputed and decydit; the ordour and faſioun whereoff thaj werie weill allowed and commendit, albeit, in dyuers poyntis, different and diſconforme from thairis.

In the tyme of yiour facred majeſties aboade in this kingdome, was alſo ane parliament haldin, in the monethe of Junij, illuſtrat be greatter concurſe and nombir of the Nobilitie and all Eſtaittis, nor hes bene feene before, in our aige; ciuile and weill ordered in all reſpectis, daylie honored be yiour highnes royall preſence, directed and gyditt be yiour wiſdome.

Many notable good actis eſtableiſt in this parliament, for better ordour off parliament in all tymes to cuim, for reſtauratioun of the decayed churche eſtaitt; for mantenance of peace and juſtice amongs all ſubjectis; for cleiring of rightis and tytills, and awoyding of pleas; for all good ordour in the countrie.

And, in conſideratioun the tyme was ſchorte, nocht anſuerable to yiour prencelie zealle and erneſt deſyre to liwe all heir at perfytte ordour, the maiſt important affairis of yiour Eſtaittis, baithe at hayme and withe forrayne Princeſs, drawing yow to Ingland agayne, for remeid to the greatte inconvenient hes bene parſawed and heavilie complained on, thir manye yeares, off the pouertie of the eſtaitt of the miniſters of the kirk, preatcheours and teatcheours of Goddis holie woord, and miniſters off the facramentis of our ſaluatioun; in yiour heiche judgement, hes this parliament furneiſt withe ſufficient commiſſioun the number of 33, mixt of all the Eſtaitts, to conveyne at certane tymes, and to prowyde, as maiſt commodiouſlie may be, to ewirie kirk ſufficient ſtipend for ane miniſter, outt of the readdieſt of the teynds of the ſaidis kirkis, withe reaſonable conſideratioun of recompence to the poſſeſſours of the teynds; ane commiſſioun

the maiſt ſolemne and beſt adwyſed on, and whilk is hoped ſhall produce als greatte and good effectis, as any hes euer bene in this land.

At yiour majeſties going furthe of this countrie, giuen on the mairtchis betuix Ingland and Scotland, it pleaſed yow direct command to yiour Counſall, to call all the landſlords and cheiffis of clannis, or other principall commanderis, in the Middleſchyres, and make thame all renew the generall band, baithe onder thair aithe and ſubſcriptioun, for manteyning of the peace; anſuering for all thair men, tenents, ſerwandis, and dependars, and to enter ewirie ane of thame, as thaj ſall be called in juſtice. This is the key of all good ordour and obedience in theeſe pairtis, hes bene preceiſlie obſerwed and putt to executioun, be the Counſall in all poyntis, conforme to yiour prencelie ordonance.

In this laſt Nouember, onder yiour highnes authoritie, and withe aſſiſtance of commiſſioners, appoynted be yiour ſacred majeſtie, did conweyne, in the cittie off Saint Androis, ane Generall Aſſemblie of the haill Kirk of this kingdome: agreed amongs thame on ſyndrie poyntis and articles, importing to the policie and good ordour in Godds ſeruice, and for vniformitie in adminiſtratioun of the ſacramentis.

This ſame monethe of Nouember, war the commiſſioners appointed be the laſt Parliament to attend on the plantatioun of the kirkis and prouiſionis for miniſters ſtipends, conweyned werie ordourlie, and entered to thair warke; proceids werie weill and circumſpectlie in the ſame, and ar lyke to bring that to good perfection.

The haill cuiſtuimis of this kingdome, vpon ſyndrie good reaſouns and reſpectis, weel weyed and conſidered be yiour officears and commiſſioners, appoynted for manageing of yiour rentis, layed doun before yiour royall majeſtie, and be your royall command, ar this yeare ondertayne onder yiour majeſties awin nayme, to be collected, on all hazarde, to your behowe, vtilitie and proffeitt; and be the directioun of your highnes commiſſioners, wha daylie beſtowis ſuim tyme on the conſideratioun of theeſe affairis, ar maiſt cairfullie attendit wpon; wee hope ſhall turne to naa loiſe to your coffers in end, will alwayes make yiour officears and counſall privey to the haill eſtaitt of theeſe affairis.

This yeare hes bene vnto your facred majeftie glorious, in fua far as it hes furneift vnto yiow fubject to actions will be of memorable honour and admiratioun to all pofteriteis: hes bene alfo to this kingdome happie and fortunat be the fauour and fchyning off yiour maift gracious prefence wpon ws, and be rair and manye good ordours in governament, your majeftie hes brocht in, maid ws to fie, and fatled among ws, baithe in ciuill and ecclefiafticall eftaitt.

I man heir make end; becaufe my ingyne nor penne, is nocht habill to furneifche me woords I may onywyfe efteeme anfuerabill to the greatte obligatioums all this countrie and natioun hes, to the honours, fauours, and infinit good your majeftie hes done wnto ws. Taking, thairfore, my leive, withe the maift humbill and reuerend kiffe of your royall hand, wifches vnto yiour facred majeftie, from the greatte King off all, all happines, grandeur, profperitie, and contentment,

Yiour maift facred Majefties maift humbill, affectionat, and obedient fubject and feruitour,

DUNFERMELYNE.

From Edinburgh, 23 December 1617.

CLXXVI.—LORD BINNING TO JAMES DOUGLAS.

LOVING FREIND,

YOUR packet of the firft came heir vpon the 8, and as the poftmaifters keip thair poffeffion of flow running, fo intend I to do myne of fweir wryting; and forbearing to repeate to yow what I wryte to Mr Patrik, to whom I haue fignified that knowing be your letter his maiefties

earniſtnes to haue ane ſatiffactorie anſuer ſpedelie returned in the buſſines of the fiſching of Faraw, I cauſed ſend with diligence for commiſſionars from Craill, Anſtruther, and Pittinveme, who this day compeirand before the counſall, ar forbiddin to fiſche any more neir that coaſt, lyke as the prohibition is to be maid generall and vnder great paynis be proclamation. Bot the people having promeiſed thair obedience, haue iuſtlie requyred the counſall, and thay granted to requeaſt his maieſtie be thair letter, that as his maieſtie finds the petition of the inhabitants of Farow reaſonable, and to be reddelie ſatiſſied be his ſubiects, ſo he may find it als iuſt and expedient, that the Hollanders be prohibited and hindred to do the lyke iniurie and hairme to his people vpon this coaſt, as the counſals letter will more largelie informe.

Ane vther letter is to go be this packet from the commiſſioners of the rentis to his maieſtie, anſuering ane direction preſented be the Lord Gray to the Erle of Mar, to ſecure the Lord Gray of thrie thouſand pund ſterling for his ſchireffſchip. Farder at this tyme I haue not to wryte, bot commit yow to God.

Your verie aſſured freind,

BINNING.

Edinburgh, 12 Merche [1618?]

Suſpecting that yow had not kept copies of the King of Denmarks letter, and the ſupplication of the Ferawars, I haue ſent bak to yow the principals.

To my verie aſſured freind James
Douglas, attending his Maieſtie
for diſpatche of Scottis affaires,
at Court.

CLXXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Pleis youre Sacred Maiestie,

Petitioun being preferred vnto youre maieſtie on the behalf of George and Margaret Hayis, bairnis and executouris to vmquhile Andro Erll of Errole, for payment vnto thame of a certane fowme of money alledgeit to be dew vnto thame, and to haif beene reſſauit to youre maieſteis vſe, of the moneyis pertening to thair ſaid vmquhile fader, and being in his place of Logyalmond the tyme of his deceis, it pleaſit youre maieſtie to recommend vnto ws the dew examinatioun and tryall of that mater, quhat moneyis wer reſſauit, and yf the ſame in haill or in pairt wer payed, and accordinglie to certifie your maieſtie quhat we ſould find thairintill. For ſatiffactioun of youre maieſteis directioun in this pointe, we cauſit examine the rollis and recordis of youre maieſteis exchekquer, and we haif fundin that in a compte maid be Sir Robert Meluill, then deputie theſaurair, in the moneth of Junij j^{m}v^{c} fourefcoir and ſax yeiris, he hes chargeit him ſelf with the fowme of ſevin thowſand, foure hundreth, threeſcoir ſax pundis, xiij ſ. iiij d., reſſaued be youre maieſties directioun for ſome ſpeciall occaſionis of youre maieſteis ſeruice, quhilkis occurred for the tyme, fra Frances now Erll of Errole, of the moneyis being in Logyalmond: and in this ſame compt by expres wordis conceaued and ſett doun thairintill, youre maieſtie is maid to be onlie debtour for the ſaid fowme to theſe who hes intereſs. Bot anent the payment of this fowme in haill or in pairt, we find no reporte nor record at all in youre maieſteis exchekquer. And this being all that we haif fundin in this mater, we humelie preſent the ſame to youre maieſties conſideratioun; and ſo hume-

lie praying God to bliſſe youre maieſtie with a long and happie reignn, we reſt

Youre Maieſteis moſt humble and obedient
ſubiectis and ſeruitouris,

AL. CANCELLS. GEORGE HAY.
A. MAR. G. MURRAY.
BINNING. W. OLIPHANT.
KILSAYTH.

Edinburgh, 19 Martij 1618.

To the King his moſt ſacred and
excellent Maieſtie.

CLXXVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAUEING dewlie conſidderit the directioun ſend heir be youre maieſtie to the Lord of Binning, youre maieſteis ſecretarye, and be your command, commvnicat be him to ws, for interrupting and ſtaying the Hollandaris to fiſche, in youre maieſteis ſeas within ſight of the land; we firſt inclyned rather to aduyſe vpoun it amangs oure ſelfis, nor to propone it publictlie to the whole counſell; and haueing weighed the haill purpois and importance thairof, we haue reſolued, aſoir we tak ony concluſioun, humelie to preſent to youre maieſteis moſt iuditious and princelie conſideratioun, oure ſimple and waik opinionis concerning that buſſynes, quhilk being a mater of ſtate, heighlie concerning youre maieſtie and youre ſubiectis of this kingdome and thir Hollandaris, who ar your maieſteis confederatis, pretending thair awne interes thairin, ather be right or lang poſſeſſioun, we think it fit, yf ſo it pleis youre maieſtie, that firſt the buſſynes be imparted to youre conſaill thair, in regaird of the commoun interes, quhilk thay and that haill eſtate mon haif thairin, incaiſe the mater ſall draw to ony contradictioun: And lykewayes, that youre maieſtie wald be

pleafed to command youre ambaffadour, refident with the efteatis, to expoftulat this buffynes with thame, fhoweing vnto thame the iuft greevis and complaintis of your maiefteis people, by thair iniuft vfurpatioun to fifhe in fight of youre maiefteis land, and be the violent and forceable interruptioun maid vnto thame be the Hollandaris to fifhe in your maiefteis awne watteris, who being hithertillis cairles of that goode correfpondence, quhilk your maiefteis mony grite fauours to thame hes merited, and preferring thair awne priuat gayne to thefe dewyteis and humble refpect, quhilkis in reffoun thay aucht to keepe with youre maieftie, thay do verie far iniure youre maiefteis fubiectis, by incroitcheing vpoun your maiefteis right, and fpoilling youre fubiectis of the benefeit and fredome of thair fifheing without any laughfull or knowne warrand: And thairfoir to defire thame to tak prefent courfe and ordour, be proclamatioun, for difchargeing, vnder grite panes, thair people frome all forder fifheing in your maiefteis watteris, within fight of the land, and to referue thefe boundis to youre maiefteis awne fubiectis, conforme to the law of nationis; latting thame vnderftand, yf thay continew ony langair in this thair oppreffioun, that youre maieftie will fo prouide for the mantenance of youre awne right and freetheing of your people frome thair oppreffioun, as your honnour and iuftice in fuche a caife requiris; and yf youre maieftie fall not reffaue fuche anfwer and fatiffactioun in this pointe, as is aggreable to youre honnour, and equitie of youre demand, youre maieftie may then refolue vpoun the nixt expedient, and we falbe reddy to follow and obey quhateuir your maieftie fall command thairin. And fo, with oure humble prayers vnto God for youre maiefteis lang and happie reignn, we reft

Youre Maiefteis moft humble and obedient
fubiectis and feruitouris,

Al. Cancells.	G. Murray.
Binning.	George Hay.
A. Mar.	W. Oliphant.

Edinburgh, 4 Aprile 1618.

To the King his moft facred and excellent Maieftie.

CLXXIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Pleas your Sacred Maiestie,

By oure formair lettre of the fecund of October laſt, we acquentit youre maieſtie quhat we had fund in the rollis of your maieſteis exchekquer, concerning that mater recommendit be your maieſtie vnto ws in fauours of the bearair heirof, Sir James Weymis of Bogye, anent the fowmes of money addebtit to him be the laite Erll of Gowrye, to witt, that the Lord Elphingſtoun, your maieſteis thefaurair for the tyme, intromettit with the haill reſtis of the faid late erllis leving, vnintromettit with be him felff, of the crope and yeir of God j^{m}v^{c}lxxxxix yeiris; and that the Lord of Scone, comptrollair for the tyme, intromettit with the faid laite erllis rentis of Huntingtour, Scone, and Strabrane, of the crope and yeir of God j^{m} and vj^{c} yeiris, and that he maid compt of the fame in the exchekquer; by the quhilk compt we lykwayes fand, that he maid payment to the faid Sir James of the fowme of j^{m}iiij^{c}xvj ℔ x ſ. money, in pairt of payment of the fowmes addebtit vnto him be the faid laite erll; quhilkis fowmes, extending to nyne thowfand and fax hundreth merkis, ar particularlie expreſt in the act of parliament maid and confaued in his fauour—and, as he informis ws, he hes bene conſtraned to pay annuell for the fame thir xvij yeiris bigane: And he being now to repair towards youre maieſtie for folliciting of this buſſynes, and of his payment and fatiſfactioun, we haif prefoomed to accompany him with this fure teſtimonie and reporte: that in all the directionis and feruiceis concredite vnto him, fra the firſt worde of youre maieſteis comeing to this cuntrey, quhilkis wer bothe frequent and paynefull, eſpeciallie the feruice of the cariage, the reparatioun of the hie wayes, the prouiſioun of fed beif, and otheris viuers, for youre maieſties houſe, the ordour taking with beggaris, beſydis a nomber of otheris particularis, occurring within the ſchirefdome of Fyffe, quhairof the cheif cair and burdyne wes euer layed vpoun him; that he behaued him felff moſt panefullie, cairfullie, and diligentlie, without interminſioun or weyreing, omitting no tyme, ſeaſoun, nor occaſioun, with grite

chargeis and expenſſis, to bring all thefe feruices to a tymous and goode concluſioun, whairin he had fo goode a fuccefs, that no thing did mifcarye that wes concredite vnto him. And now at laſt, vpoun the commiſſioun of the parliament anent the weyghtis and meafouris, he hes attendit and awaitit all this winter feſſioun, and by his panes and trauellis in that buſſynes, it is lykewayes broght to a goode end. Thir conſiderationis, conioyned with the faid Sir James goode affectioun and diſpoſitioun to all youre maieſteis feruiceis, enboldenis ws, in all humilitie and reuerence, to recommend him to youre maieſteis fauour—that, by youre maieſteis gratious and comfortable regaird of him, he may find contentment in his honneſt and laughfull adois. And fo, craueing youre maieſteis pardoun for this oure prefumptioun, and humelie praying God to bliſſe youre maieſtie with a lang and happie reignn, we reſt

Youre Maieſteis moſt humble and obedyent
fubiectis and feruitouris,

Al. Cancells.	G. Murray.
Binning.	George Hay.
A. Mar.	W. Oliphant.

Edinburgh, 4 Aprile 1618.

To the King his moſt facred and
excellent Maieſtie.

CLXXX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

Whereas youre maieſtie, oute of youre accuſtomed princelie and tender regaird of the weele of youre maieſteis fubiectis of this kingdome, and for the furtherance and advancement of commerce and trafficq within the fame, did, by diuers directionis, and be proclamatioun,

command and ordane, that no grittair cuſtomes, paymentis, fees, or dewyteis, fould be exactit or lifted frome youre maieſteis ſubiectis of this kingdome, for ony commodityis or wairis exported be thame furthe of the realmes of England and Irland, or imported be thame within the fame, or for ony of thair ſhippis, pinnaceis, or otheris veſhellis, then onlie ſuche and the ſame cuſtomes, fees, paymentis, and dewiteis, quhilkis ar laughfullie tane of the naturall borne ſubiectis of England and Irland, as the proclamatioun maid to this effect, beareing date at Weſtminſter the xij day of Aprile 1615, at lenth bearis; wherunto, albeit youre maieſteis officiaris, and vtheris whome it concernis, within the kingdome of England, hes gevin all dew obedyence, and accordinglie hes conformed thameſelffis thairunto; yit it hes beene complenit vnto ws, be youre maieſties ſubiectis hanting the trade of marcheandice in Irland, that thair is ane plane oppoſitioun maid in that kingdome to youre maieſties will, pleaſour, and directioun foirſaid; and that your maieſties ſubiectis ar vſed with als grite rigour and extremitie thair, in all kynd of paymentis, as yf thay wer meir ſtrangearis vnto youre maieſtie, and had not the honnour to participat with thame of that body quhairof it hes pleaſit God to mak youre maieſtie the heade: Quhilk being a mater verie grevous to youre maieſties ſubiectis, that ony ſuche ſeparatioun fould be intendit aganis thame, in this, or ony other the lyke caiſe, be theſe, with quhome thay ar ſo neirlie joyned in alledgeance and obedience vnder one imperiall crowne; and with quhome, in hairt and affectioun, thay ſtudie to keepe that correſpondence quhilk becometh memberis of one body. Thay haif thairfoir beene humble petitionaris vnto ws, that we wald gif notice heirof vnto youre maieſtie, and on thair behalf, be humble interceſſouris vnto youre maieſtie, that youre maieſtie wald be gratiouſlie pleaſed to gif new warrand and directioun, that the proclamatioun foirſaid may ſtand in force, and reſſaue effect and executioun accordinglie, within the ſaid kingdome of Irland; that ſo all markis and taikynnis of diſiunctioun and ſeparatioun, quhilkis, by the croſſing of this proclamatioun, ar intendit being remoued, the intercourſe of commerce and trade betuix the kingdomes may haif the better progres, and occaſioun thairby may be gevin to cheriſhe, foſter, and interteny theſe commoun dewyteis of mutuall love

amangis the ſubiectis of bothe nationis, quhilk youre maieſtie moſt eirneſtlie wiſheis. And, recommending the premiſſes to youre maieſteis moſt excellent and princelie conſideratioun, and humelie praying God to bliſſe youre maieſtie with a lang and happie reignn, we reſt

Youre Maieſteis moſt humble and obedient
ſubiectis and ſeruitouris,

AL. CANCELL^S.
A. MAR.
BINNING.
G. MURRAY.
W. OLIPHANT.

Edinburgh, 13 May 1618.

To the King his moſt ſacred and
excellent Maieſtie.

CLXXXI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reſſaued youre maieſteis lettre of the ſaxt of this inſtant, contening youre maieſteis opinioun and cenſure of oure anſuer to the xiij article of theſe reſolutionis, toucheing the gouernament of the Middleſhyris, for ſending of the moſt notorious and leude perſonis in theſe boundis to Virginia, or ſome otheris remote pairtis, to ſerue in the wearis, or in coloneyis; quhairin, as with all dew reſpect and regaird, we acknowledge youre maieſteis moſt iuditious and ſingulair iugement, and do ſubmitt oure ſelffis thairunto. So we haif heirby preſoomed to preſent vnto youre maieſties conſideratioun the cauſſes moueing ws, to anſwer that article in the termes as it conceaved, towitt, that after conference

had with the commiſſionaris of the Middle-ſhyris, whome this mater cheiflie concernit, we fand that thair wes few or no perſonis at all, on this hand, that wald be ſubiect to the conditioun of that article; for oure bordouris, praiſed be God, ar reduceit to that obedience and quietnes, as all the landiſlordis hes vndertane to be anſwerable for thair awne men, and to mak thame obedient to law and juſtice. And when ony malefactouris ar tane, thay ar putt to thair tryall, and condignelie pvniſt; and yf theſe, quho afoir youre maieſties going to England wer in dangeir of the lawis for auld deidis, and euer ſenſyne hes beene anſwerable, peceable, and obedyent, ſould heir that ony ſuche courſe wes intendit, it is lyke aneugh that nomberis of thame, apprehending the courſe to be diviſit aganis thame, wald mak choiſe rather to loupe oute and become fugitiues, nor to vnderly the haſaird and feare of that mater; and this maid ws to gif anſwer to that article, as ſaid is. And neuirtheles, ſince we find youre maieſtie conſtant in that reſolutioun, vpoun the goode and worthie reſpectis contenit in youre maieſties lettre, we ſall accordinglie conforme oure ſelffis to youre royall pleaſour thairintill. And ſo, with oure humble prayeris vnto God, for youre maieſties lang and happie reignn, we reſt

Youre Maieſteis moſt humble and obedient
ſubiectis and ſeruitouris,

Al. Cancells.
Binning.
A. Mar.
W. Oliphant.
G. Murray.

Edinburgh, 13 Maij 1618.

To the King his moſt facred and
excellent Maieſtie.

CLXXXII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Gratious Souerane,

Haueing, by oure formair lettre of the xxix of Januair laſt, acquentit youre maieſtie quhat we had fund anent the clame and title pretendit be the relict of vmquhile Williame Murray, groome of youre maieſteis bedchalmer, to the landis of Cornetoun, and bigane dewyteis thairof, ſen the ſax hundreth and fyve yeir of God, quhairanent ſho wes a petitionair vnto youre maieſtie; it pleaſit youre maieſtie, by youre anſwer returnit vnto ws, to acknowledge oure informatioun ſend to youre maieſtie, in that mater, to be trew; and thairwithall, to ſignifie vnto ws, that it was noway youre maieſteis will and pleaſour that ſho ſould haif poſſeſſioun of the ſaidis landis, bot rather ſome reaſounable ſatiſfactioun for hir enteres, ſho furrendering hir right, quhilk ſho pretendeth to the ſaidis landis. Whairupoun, we haueing at lenthe aduiſit vpoun this mater, and haueing conferrit with ſome of hir freindis, who attendis hir affairis and buſſynes heir, and knoweing that ſen the deceis of hir ſaid laite huſband, quhilk was in the ſaid ſax hundreth and fyve yeir of God, ſho hes bothe beene fruſtrat of the dewyteis of the ſaidis landis of Cornetoun, and of the penſioun of fyve hundreth pundis, quhilk youre maieſtie diſponit to hir ſaid laite huſband for hir renuntiatioun of the ſame landis. We haif, thairfoir, thoght meete (yf ſo it may ſtand with youre maieſteis pleaſour) that this ſame penſioun ſalbe diſponit to hir during hir lyvetyme. Bot anent the bigane dewyteis of the landis of Cornetoun, acclamed be hir ſen hir huſbandis deceis, we can ſay no thing in that pointe, bot remittis the ſame to youre maieſteis conſideratioun.

And fo, with oure humble and earnift prayeris vnto God for youre maiefteis long and happie reignne, we reft

Youre Maiefteis moft humble and obedient
fubiectis and feruitouris,

AL. CANCELL^S^. A. MAR.
BINNING. GEORGE HAY.
KILSAYTH. A. DRUMMOND.

Haliruidhous, 16 July 1618.

To the King his moft facred and
excellent Maieftie.

CLXXXIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaued youre maiefteis lettre with the infamous libell writtin be that wretched and vnhappie fellow Roffe; and we imparted the fame to youre maiefteis counfell, who, with all dew reuerence, and moft humble thankis, doe acknowledge youre maiefteis fingulair cair and prudent directioun, alfweill in this as in all otheris thingis importing the credite and reputatioun of this youre maiefteis kingdome; and thay haif writtin thair awne thankis to the vice-chancellair of Oxfoorde, for his wyfe and kynd refolutioun, and procedingis in that mater. We haif aduifed with the libell, and with the lawis and conftitutionis of this kingdome, maid aganis the writtaris and fettaris oute of fuche infamous libellis, and we find the fame to be capitall, and pvnifheable in the heigheft degree. This fellow is not as yitt come heir, and becaus of the approitcheing vacance and diffolueing of the counfell, we haif gevin directioun to the

magiſtrats of Edinburgh, howſoone he ſall aryve, to committ him cloiſe priſonnair in thair irnehouſe, and to lay him in the irnis; and vpoun thair aduerteiſment, we ſall conveene and examine him, and accordinglie we ſall gif directioun for his tryale and convictioun; and ſall ſuperſeid the pronunceing of doome, till we vnderſtand youre maieſteis forder pleaſour anent the forme of his pvniſhement. Oure opinioun is, that he ſalbe hanged at the mercatt croce of Edinburgh, and his heade affixt on ane of the portis. Bot in this we ſubmitt oure ſelffis to your maieſteis directioun, quhairunto we ſall conforme oure ſelffis; and ſo, praying God to bliſſe your maieſtie with a lang and happie reigne, we reſt

Youre Maieſteis moſt humble and obedyent
ſubiectis and ſeruitouris,

Al. Cancellʳ.
Binning.
W. Oliphant.

Halirudhous, penult Julij 1618.

To the King his moſt ſacred and
excellent Maieſtie.

CLXXXIV.—LORD BINNING TO KING JAMES VI.

Most Sacred Souerane,

The furious wretche, Maiſter Thomas Ros, wes, according to your maieſties commandement, put to his tryall and conuicted of the

haynous crymes conteaned in his diuelifh pafquil produced for verification of his guiltines to the affyfe. The dome is delaied till your maieftie be pleafed to fignifie your royall determination in it.

His malitious frenefie is fo mixed with prefumption of his owne wourth, as he thinkis the vfe of his learning and eloquence neceffar to the world, and that his paffion having furneiffed fo much ftuf in fo bad a pourpofe, he is able in ane fubiect fo wourthye and true as the commendation of your royall guiftes of bodie and mynd, and moft princelie actions to kythe miracles in dew publeiffing thairof. To this fenfe he fpak in jugement; and leauing to your maiefties euer gracious clemencie, multiplied exemples of diuine and humane hiftories, to the commendation of the famous princes who had graciouflie pardoned heigh offences; adding exemples of manie who, being tranfported be paffion to madnes, had thairefter recouered thair fetled jugements, and done great and wourthie maters, promeifing no les of him felf.

Your maiefties aduocat hes wyfelie confidered that the infamie of his dittay meritis not to be infert in the regifter of the adiournall. Alwayes I haue fent to James Douglas the copie of the proces, that when your maieftie defyres to fie it, he may haue it reddie, and may conceale it from all vthers. So, expecting the fignification of your maiefties farder pleafour anent this vnnaturall and furious foole, I befeik God long to preferue your maieftie in perfection of all honour, happines, and contentment.

Your moft facred Maiefties moft humble, faithfull,
and bund fubiect and feruant,

BINNING.

Edinburgh, 22 Auguft [1618?]

To the Kingis moft facred Maieftie.

CLXXXV.—LORD BINNING TO JAMES DOUGLAS.

Loving Freind,

I ressaued yifternight, verie late, your packet of the 24, and knowing the confequence of the direction for lyfe, caufed Mr William Browne, at ten at night, to fend John Murrayes letters to the Erle of Mar and Lord of Scone, bot fufpect that the Erle of Mars being in Inuerrugie fall mak the anfuer be flower nor the direction, which will be without default aither in yow or me. When I reffaue thame, they fall be returned with haift anfuerable to your difpatche. This packet will bring to yow ane letter to his maieftie, with ane note maid be my Lord Chancelar and me, of the names of thefe juftices of peace, whom, we confaue to be moft fit to be fchireffis for this yeir.

Concerning the hand whairof yee wryte, vpon the information from the Lord Garleis and fchiref of Galloway, my Lord Chancelar and I, caufed bring to this towne one John Kennedie, notar, and his wyfe, committed him to wairde, and examined him and his wyfe, anent the finding of that hand, and the report of the blood which wes informed to follow him. He declaired that the hand, conteaning onlie fum bones and ioyntis withowt fkin, wes fund in his byre or midding, when his feruands in his abfence wer filling muck, in beir feid tyme. The blood wes fene vpon ane chandler in his howfe, when his wyfe, in his abfence, wes at fupper with fum nighbours, none knowing from whence it came, and the lyke at ane vther tyme vpon the threifhald of his fellar dur, the hufband at all thir tymes being abfent, and the mater not being blood, bot ane thick licour, lyke gorred blood. In thefe, his wyfes depofition and his agries. It is teftified be his minifter, and not denyed be himfelf, that whair he and his minifter wer walking neir the paroche church, fum droppis of blood wer fene vpon the graffe, whair thay walked; bot becaus he being deteaned prifoner in the towbuith, aboue ane moneth, and non furneiffing pruif or

probable information aganis him, nor anie fufpicion being of any perfon murdered in that cuntrie, or vther criminall imputation aganis him, caution wes takin for his compeirance and his wyfes, the firft counfall day of Nouember, vnder the payne of ane thoufand punds. Of this yee fall informe Mr Patrik, that he may relate this as the true eftate of that buffines. No publict maters haue this day occurred in counfell. When I fall know any pertinent fubiect, you fall be aduerteifed; fo I commit yow to God. Edinburgh, laft of Sept. [1618?]

Your verie affured freind,

BINNING.

This letter from the counfell to his maieftie conteanes the lite of juftices of peace for nomination of fchireffis. The lord* hes maried the Erle of Kingornis fifter privatlie, which I think the wifeft maner.

To my verie affured freind, James
Douglas, attending his Maieftie
for difpatche of Scottis affaires,
at Court.

CLXXXVI.—NOTE TO BE SCHOWNE TO HIS MAIESTIE OF MATERS DONE IN THE COUNSELL OF SCOTLAND SINCE THE BEGINNING OF NOVEMBER 1618.

IN the moneth of July laft, the Schiref of Galloway, having writtin to the Counfell, that ane mans hand wes found in the midding of one John Kennedie, notare, ane man affirmed be the fchiref to be of no good report, and that blood wes fene drop from the ruif of this Kennedies houfe vpon

* Sic.

his table, and ſum vther pairtes of his howſe; and, when he wes walking with the miniſter of his parochin, that ſum droppis of blood appeired vpon the graſſe whair Kennedie walked: Vpon warrant ſent from the Counſell to the ſchiref, he apprehended Kennedie, and ſent him to Edinburgh, whair he wes kept cloſſe priſoner fyue or ſix oulkis, during which ſpace no man compeiring to accuſe him of any cryme, or to informe aganis him, he, by ſupplication, exhibited to the Counſell, compleined of his cauſeles detention, and deſired he might be diſmiſſed to attend his harueſt and lawfull adois, offering caution for his reentrie, whenſoeuer he ſould be chairged. The Counſell directed the preſident, who ſtayed in towne, to examine him, and gine ſuch anſuer to his petition, as, efter examination, he ſould find reaſonable; who, efter ſtrict examination of Kennedie and his wyſe, finding no obſcuritie or variation in their depoſitions, nor any ground of tortour or extraordinar ſeueritie, tuke caution for their compeirance before the Counſell, vpon the thrid of Nouember, vnder the payne of ane thouſand pundis; and wrait to the Schiref of Galloway to vſe all poſſible meanes to diſcouer any true groundis or circumſtances, which might verific guiltines of any cryme againſt thame, and ſpeciallie, if it could be diſcouered that any man in the cuntrie had bene mourthured, or any who wes knowne to be at inimitie with Kennedie had bene miſſed. Becaus Kennedie had ſaid that he wes latelie cum to dwell whair the mans hand wes found; and that no thing of it reſting bot the olde bones and wethered ſinewes, it wes manifeſt that it had bene thair manie yeires, before his cumming to dwell in that place; and for the blood, had confeſſed that ſum droppis had bene ſeene vpon ane chandler, vpon his boord, when he wes abſent, and vpon the threſchold of ane dur, which wes lyke gored blood, whairof he could tell no cauſe, bot compleined that his cattell and horſes had died in great number, and that his wyſe had bene long vexed with extraordinar ſeiknes: all which he aſcryved to ſuſpicion of witchecraft, vſed againſt them. At the day appoynted he compeired before the Counſell, who, haning conferred with the Schiref of Galloway, and finding no materiall information of any cryme aganis the priſoner, they reexamined Kennedie, of whom no farder being tryed nor he had deponed to the preſident, he is diſmiſſed.

The ſchireffis prickt be his maieſtie wer writtin for be the Counſell, who compeired and accepted of their chairge.

Sir Gedeon Murray hes communicat to the Lords Chancelar and Theſaurar, the directions geuin to him be his maieſtie, which they acknowledging to be moſt wyſe and iuſt, haue promeiſed to ſie performed with all convenient diligence.

The queſtion betuix the merchants and ſeamen, anent foreyne bottomes, being appoynted to haue bene decyded be the Counſell vpon the 12 of Nouember, becaus that day, ſindrie officers of eſtate wer abſent, and none of the nobilitie preſent, both pairties conſented that the mater ſould be continowed to the firſt counſell day in Februar nixt.

The Counſell having perceiued that thir yeeres bygane, when God had bliſſed our cuntrie with plentie of cornes of oure owne growth, the merchants, ſeiking their privat aduantage, to the vniuerſall preiudice of the reſt of the kingdome, had broght in great quantities of forayne victuall in the beginning of harveſt, which being boght be them in Danſkene at verie low rates, and ſo ſold much cheaper nor oure cuntrie victuall, made oure cornes to remayne vnſold be the gentilmen and their poor tennentis, to their vtter vndoing, tranſported moneyes furth of the cuntrie, and broght oure cornes of the enſewing crope to be extreame cheap, be which occaſion the merchants boght it at verie lowe rates in the beginning of the yeir, and made their great aduantage of it, be tranſporting it ouer ſea. For reſtraint of this ſubtiltie of the merchants, the Counſell impoſed fyve ſchillings of cuſtume to be payed to his maieſtie for ilk boll of their forayne victuall, to which the merchants made great oppoſition, and efter that ane ſuſpenſion raiſed be them had bene diſcuſſed aganis them, they ceaſſed not ſtill to repyne, and to importune the Counſell to diſchairge that cuſtume, alledgeing that victuall ſould be frie of cuſtume, and the inbringers thairof fauorablie handled. It wes anſwered, that it wes trew, when it wes done for the good of the cuntrie, having neid of it; bot to bring it in, when we had to ſerue oure ſelues aboundantlie, and great quantitie to tranſport to be ſold in foreyne pairtis, wes the vndoing of oure cuntrie, the frutes whairof conſiſted cheiflie of cornes. Nevertheles, they ſo endleſlie importuned the Counſell, that, find-

ing them als conſtant as they wer troubleſome, they intimated be bill to the Counſell, that they wald compleane of their vſage to his maieſtie, which moued the Counſell to tell them, that their preſumption wes intollerable, who, in the exercife of that inferiour juriſdiction which they had of his maieſtie, when they fand any man refuſe to giue obedience to the ordonances of their towne counſell, they preſentlie committed him to ſtrait waird, and manie times laid him in irnis; and when they receiued commandements from his maieſties Counſell, founded vpon law, reaſon, and the general good of the kingdome, they gaue example of diſobedience to all the reſt of the liegis. The Counſell wald not diſſuade them from compleaning, bot wer ſo confident of his maieſties great wiſdome and iuſtice, that when he fould know how long and obſtinatlie they had refuſed to obey the Counſals laufull ordonance, and how iniuſt their complaint wes, he wald, be their pvniſhment, teache them and others the rewles of due obedience.

BINNING.

[No date.]

CLXXXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

PLEAS YOURE SACRED MAIESTIE,

WE haif bene eirniſtlie delt with, on the behalff of the fewaris and vaſſallis of Argyle, for granting vnto thame confirmationis of thair landis, quhilkis thay hald of the Erll of Argyle. Bot we haif bene ſpairing to meddle in that mater, in reſpect of the proces and dangeir whiche the ſaid erll vndirlyis, vntill we vnderſtand youre maieſteis will and pleaſour thairanent. In oure aune opinioun, thair demand in this pointe is reaſounable and agreable to equitie and iuſtice, and that youre maieſtie

can reſſaue no harme nor preiudice thairby, becaus thay ar free of thir crymes whairin the ſaid erll hes vnneceſſarlie involuit him ſelff, and hes had no dealeing nor handilling with him thairintill; any forder, thay ar ſewaris and vaſſallis to the Lord of Lorne, thair ſuperiour, quho is ſeare and heritable proprietair of the erldome of Argyle, with the haill dependanceis and pertinentis thairof, and is youre maieſteis immediat tennent of the ſame, and the erll his ſader is onlie lyverentair. Bot remitting this to youre maieſteis more iuditious and princelie conſideratioun, and attending youre maieſteis directioun, and anſwer thairanent, at ſome conuenient tyme of youre maieſteis leaſer, we humelie tak oure leave, praying God to bliſſe youre maieſtie with a lang and happie reignn. Frome Edinburgh, the ſecund day of Februair 1619.

Youre Maieſteis moſt humble and obedyent
ſubiectis and ſeruitouris,

Al. Cancells.
A. Mar.
Binning.
G. Murray.
W. Oliphant.

To the King his moſt ſacred and excellent
Maieſtie.

CLXXXVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

The wyffe and poore childreene of one Thomas Lotheane, maircheant in this burgh, hes verie havelie regraitit vnto ws, the miſer-

able and hard eſtate, and preſent conditioun of the ſaid Thomas, who being a man paſt threeſcoir ſax yeiris of aige, and haveing verie painefullie, cairfullie, and diligentlie, followit his trade of marcheandice with goode reporte, credit, and reputatioun, now be the ſpace of fourtie yeiris, and being laitlie in the Eaſter ſeas, haueing in outred and wairing of his awne, aboue tuentie thowſand merkis, beſydis other tuentie thowſand merkis in outred and wairing, quhairof he wes putt in truſte be ſome of his nightbouris, in his returning home at Elſinwre, quhair entrie wes maid of his ſhip and goodis, it fell oute, that ignorantlie, and vpoun meere ſimplicitie, ſome ſmall and vnworthie portioun of goodis wer omittit in the entrie, without the knowlege or willing conſent of the innocent auld man, quhairof notice being gevin to the toill maiſteris, be one of the equippage of the ſhip, who profeſt the ſaid Thomas euill will, thay immediatlie ſeaſed vpoun the ſhip and goodis, and hes confiſcat the ſame to the vſe and behooſſe of youre maieſteis darreſt brother, the king of Denmark, vnto quhome the aiged man, haueing oft and diuers tymes meaned him ſelf in all humilitie, craveing pitie and conſideratioun to be had of his hard eſtate, and of the diſtreſſe and trouble quhairin ignorantlie he is fallin, he reſſaues no other anſueris bot direct refuſallis of reſtitutioun, and he ſtayis ſtill thair, in grite neceſſitie and want, following youre maieſteis ſaid darreſt brother and his courte, frome place to place, without ony conditioun or hoip of reſtitution: Quhairupoun his nightbouris of this toun quho patt him in truſte of thair goodis, laying the blame of the ſaid confiſcatioun vpoun him, hes intentit actioun aganis him, and intendis to evict and compriſe frome him the ſmall remanent of his goodis, that he left heir behind him, to the vtter wrake and vndoing of him, his poore wyffe and childreene; and he him ſelff dar not, nor can not come home, for feare of ſuche perſonall executioun as be law may be dew aganis him; ſua, that be appeirance his gray hairis fall with greif, ſorrow, and wracke, go to the graue in Denmark. This being a mater of pitie and commiſeratioun, we haif preſoomed, in all reuerence, to preſent the ſame to youre maieſteis princelie and fauourable conſideratioun, humelie beſeiking youre maieſtie, that youre maieſtie wald be gratiouſlie pleaſed to write on behalf of this aiged man, to youre maieſteis ſaid darreſt brother

for reſtitutioun to be maid to him of his ſhip and goodis, ſeeing the omiſſioun foirfaid in the entrie of the ſhip and goodis proceided vpoun meere ſimplicitie and ignorance, and not vpoun ony foirthoght purpois of concealment. And ſo, craveing youre maieſteis pardoun for this oure preſumptioun, humelie praying God to bliſſe youre maieſtie with mony lang and happie dayis, we reſt

Youre Maieſteis moſt humble and obedient
ſubiectis and ſeruitouris,

Al. Cancell^s^.	Lothiane.
Binning.	Lauderdaile.
Pa. Aberdene.	G. Murray.
A. Mar.	

Edinburgh, 23 Februair 1619.

To the King his moſt ſacred and excellent
Maieſtie.

CLXXXIX.—LORD BINNING TO KING JAMES VI.

Most Sacred Souerane,

My Lord Chancelar being yiſternight abſent when we receiued the ſorowfull newes of the death of your moſt excellent quene of bliſſed memorie, and few of the Counſell being in this towne, at firſt I could reſolue no farder bot to aduerteis thoſe who wer preſent of the deplorable accident, and will them to prepaire themſelfis as apperteined. I ſent alſo for the magiſtrats of the towne, and gaue them the like aduerteiſ-

ment, and directed the Clerk of Counfell to Maifter Patrik Galloway, defiring him to conuene with the reft of the minifters heir, and giue order that honorable commemoration may be maid in their fermons of hir vertuous lyfe and Chriftian death; wheiranent I wrait alfo to the Archibifchops of Santandrois and Glafgow.

And albeit I haue hard no thing from your maieftie, or any of your minifters at Court, of the opinion conceiued of the hoftile intention of the Spanyards aganis your maiefties dominions, yet the rumours ar fo frequent and probable heir, that I haue thoght that my fault wald be pardonable to defire the archibifchops to cum heir, and bring with them fum of the wyfeft and moft fecret of the bifchops, that I might informe them what rumours went, and defire them by difcreit and fecret meanes to try evrie one of them in his owne boundis, be fuch as they know beft affected, what wes the behauiour or diffeins of fuch as ar fufpected in religion, or otherwayes difcontented, to the effect your maieftie might be informed, and be your direction fuch order taken, as in your maiefties moft excellent wifdome fould feeme expedient. And if your maieftie, vpon more fure information, be confirmed in opinion of any trouble intended be the Spaniard, it may appeir not vnfit that your maieftie call to Court, vpon fuch pretextes as may breid leaft diftruft, thofe who may be iuftlieft fufpected, able and inclined, to mak any difturbance, or giue fauour and ayde to ennemies, that, being deteaned their, thair pourpofes may be difapointed, and themfelfs kept as pledgis of the dewtie and obedience of their freindis and feruants; which will cairie no preiudice, if no danger be intended, and being neglected, may do great hairme, if ennemies be to moue trouble in thir pairtis. Howeuer it be, I think the prelates fitteft of all others to expreffe their diftruft and prouidence in ane mater of this kynd, whairat the Spaniards can not tak iuft offence, fince all is to be aduyfed quyetlie, and for no other end but precaution of evill, fpecially fince all their doing will proceed withowt any direction from your maieftie or the Counfell.

If any mak fute for the gift of the pryourie of Hadinton, I hope your maieftie will be gratiouflie pleafed to remember that your maieftie beftowed it vpone one fone of myne, which I humblie wifh he may reteane, more for ane mark of your royall fauour, nor any profit can arryfe of it.

So, beſeiking God to preſerue your maieſtie in long and conſtant health and happines, I reſt

Your Maieſties moſt humble, faithfull, and bund
ſubiect and feruant,

BINNING.

Edinburgh, 8 Merche [1619?]

To the King his moſt facred Maieſtie.

CXC.—THE EARLS OF MAR AND MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reſſaued youre maieſteis lettre in fauouris of James King, ſometyme of Barrogh, by the quhilk, it wes youre maieſteis pleafour, that the Laird of Meldrum ſould be callit befoir youre maieſteis Counſaill, and that he ſould be delt with, to gif a lettre of ſlanes to the ſaid James and his compliceis, for the ſlawghter of vmquhile Alexander Seatoun, then appeirand of Meldrum; becaus, as youre maieſtie wes informed, diuers of the ſaid James his kinred and freindis hes bene killed for that ſlaughter, his haill goodis intromettit with, and him ſelf compellit at laſt to ſell his landis and leving, far ſhorte of the half value, and to renunce all actionis of ejectioun and ſpuilzee competent to him be the law. Vpoun the reſett of this lettre, we had conference with ſome ſpeciall freindis of the houſe of Meldrum, and with ſome otheris quho ar beſt acquentit with the eſtate of this buſſynes, and after conſideratioun of all the particularis concerning the ſame, we find that it wilbe more aggreable to the contentment of the pairtye, and will procure more aſſured peace to the ſaid James and his freindis, that youre maieſtie ſall grant ane pardoun for the ſaid

ſlaughter, nor that the mater falbe broght to publict conteſtatioun and audience at the counſaill table: And thairfore, yf youre maieſtie wilbe gratiouſlie pleaſed to grant the ſaid pardoun, and to ſigne the ſignatour heirwith ſend vp to youre maieſtie, ſuche ordour ſalbe tane for the ſatling of this buſſynes, as youre maieſtie ſalbe no forder troublit thairwith. And ſo, with oure humble and earniſt prayeris vnto God for youre maieſties lang and happie reignne, we reſt

Youre Maieſties moſt humble and obedyent
ſubiectis and ſeruitouris,

A. Mar.
Melros.*

Edinburgh, penult of Marche 1619.

To the King his moſt ſacred and excellent
Maieſtie.

CXCI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

We reſſaued your maieſties lettre of the ſevint Maij laſt, with the extract of the ordouris and concluſionis, eſtabliſhed and obſerued in England betuix the maircheantis and ſkipparis, in the mater of navigatioun and im-

* Lord Binning was created Earl of Melros, by patent, dated at Newmarket, 20th March 1619.

ployment of the cuntrie ſhippis; and by this lettre we perſave that youre maieſtie hes tane ſome offence, becauſe the lyke cours wes not tane heir, bot hes ſuſtenit a lang delay, and that we haif not anſuerit youre maieſties lettres written to ws thairanent. As we euer acknowlegeit your maieſties royall purpois and reſolutioun in the generall, concerning that mater, to be moſt juſt, neceſſair, and expedient, bothe for the ſtrenthe, faulftie, and honnour of youre maieſties kingdomes, and for the weele of your ſubiectis, ſo we omittit no tyme, panes, nor trauellis, to bring the ſame to ane goode concluſioun, to the contentment of all pairtyis haueing intereſſe. Bot we fand ſo mony difficulteis and impedimentis in the buſſynes, by the greevis pretendit and obiectionis proponnit *hinc inde*, that we wer conſtrayned to ſpend a grite deale of tyme in heiring of the reſſonis, anſweris, replyis, duplyis, and triplyis, quhilkis wer gevin in at ſeuerall termes and dyettis, be the maircheantis and ſkipparis, and quhilkis did neceſſarlie require diuers continewationis, whairvnto the ſkipparis ever conſentit. And at laſt, we, haueing cloiſed the proces, and diſchargeit all forder reaſouning or conteſtatioun, be worde or write, we tooke this courſe afoir we wald fullie determine thairintill; that in reſpect the mater wes graue and weyghtie, and that the conventioun of the burrowis did now approatche, and is to be haldin at Hadingtoun, vpoun the firſt Tuiſday of July nixt, that the ſkipparis ſould ſend ſax of thair nomber, beſt acquentit with the ſea faring trade, to the ſaid conventioun, to confer with the burrowis; and we haif recommendit to the burrowis to deale with thame in loue and kyndnes, and to reſolue mutuallie vpoun ſuche conditionis, as may, with common conſent, effectuat your maieſties princelie deſeignne and reſolutioun, and thay ar to reporte vnto ws, vpon the xv day of July nixt, thair hail proceidingis in this mater, at quhilk tyme, the ſame, without forder delay, is to be putt to a pointe, without ony forder continewationis to be grantit; and we haif ſend to the ſaid conventioun ane copie of the actis and articles ſend doun to youre maieſtie, for the better conformitie to be gevin to thame thairunto. And this being the ſimple and trew eſtate of the progres of this buſſynes, we humelie preſent the ſame to youre maieſties conſideratioun, we being loathe to haif impeſheit youre maieſtie thairwith, till firſt we had broght the ſame to ane end. And ſo,

with oure humble and eirnift prayers vnto God for youre maiefties lang and happie reignne, we reft

Youre Maiefties moft humble and obedyent
fubiectis and feruitouris,

AL. CANCELLS.
WIGTOUNE.
LOTHIANE.
ROXBURGHE.

MELROS.
R. COCKBURNE.
GEORGE HAY.

Haliruidhous, 10 Junij 1619.

To the King his moft facred and excellent
Maieftie.

CXCII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THE confideratioun of the grite and vnneceffair allowance affignit for intertenying of youre maiefties fhip, callit the Charlis, quhilk youre maieftie wes pleafed to fend heir, to attend youre maiefteis feruice in thir watteris, moved us, according to youre maiefteis directioun, to enter in deliberatioun how this vnneceffair and neidles allowance might be retrinfhed, and the fhip intertenyed at a more eafie and reafounable rate; and haueing conferred heirupoun with captane Murray, quho hes the charge of the fhip, and finding it nowther neceffair nor expedyent that fuche ane grite and conftant allowance fall ftand ferme, quhen the fhip lyis idill, without occafioun or neceffitie of imployment, we haif refolued vpoun this courfe (yf fo it may ftand with youre maiefteis pleafoure), that the artaillierie, fallis, and otheris ornamentis of the fhip, falbe tane oute of hir, and putt in the caftell of Edinburgh, to be alwayes in reddy-

nes for the vſe and ſeruice of the ſhip, as the occaſioun ſall fall oute, and that the ſhip ſalbe ſend vp the narrow watter to St Margaretis Hoip, or ſome other pairt, quhair ſho may ſaulflie ly at ane anker, without parrell or dangeir; and that foure or fyve perſonis ſalbe appointit to attend hir, and that cair ſalbe had for the tymous preuenting and keeping of all defectis, quilkis commounlie fallis oute in ſhippis: And towcheing the captane him ſelf, to the effect he may be reddy, vpoun euerye intervening occaſioun, to attend the ſeruice of the ſhip, we think meete that he ſall haif ane penſioun of twa thowſand pundis during his lyftyme, quhairby not onlie ſall the ſhip be keepit, and ſho, with hir capitane, euer be furthecomand at all occaſionis of ſeruice, bot youre maieſtie will ſaulff and ſpair ane grite deale of money, quhilk is yeirlie gevin oute for this caus. And remitting this to youre maieſteis more iuditious and princelie conſideratioun, and humelie praying God to bliſſe your maieſtie with a lang and happie reignne, we reſt

Youre Maieſteis moſt humble and obedient
ſubiectis and ſeruitouris,

Al. Cancells.	George Hay.
Melros.	W. Oliphant.
A. Mar.	G. Murray.

Haliruidhous, xvij Junij 1619.

To the King his moſt facred and excellent
Maieſtie.

CXCIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

According to youre maieſteis directioun, we callit ſir James Skene of Currihill befoir ws, and verie ſtraitlie layed to his charge his

diſſobedience of youre maieſteis command and directioun, in not commvnicating with the reſt of youre maieſteis counſell and ſeſſioun, in the kirk of Edinburgh, at Eaſter laſt, and for going to ane other kirk, and reſſaueing the commvnioun after ane other forme then wes preſeryued be the actis of the laſt Generall Aſſemblie haldin at Perthe; and we vrgeit him to cleir himſelff of thir pointis, vpoun the parrell to be ſuſpendit frome his place in counſell and ſeſſioun. After that he had vtterit his greiff and ſorrow for youre maieſteis offence tane aganis him in this particulair, with mony proteſtationis that his hairt wes free frome all contempt or diſſobedience of youre maieſtie, and that, in ſinceritie of moſt loyall and dewtifull ſubiectioun, he had ever preaſt to approve him ſelff youre maieſteis faithfull and obedient ſubiect, he then come to his defence aganis the libell: And towcheing the firſt point thairof, for not commvnicating at Eaſter, he anſuerit, that that haill weeke he wes ordinair in the vtter houſe, and reportair, and that vpoun Satterday, quhilk wes the day for the ſermone of preparatioun, his turne fell to be examinatour of the witneſſis, and that he wes commandit and appointit to attend the ſame, quhairvpoun he awaited frome twa of the cloke till ſax of the cloke at night; and being thairby neceſſarlie diſtractit frome the ſermone of preparatioun, he could not be prepairit to commvnicat vpoun the morne thairefter: And towcheing his going to ane other kirk to commvnicat, he ſlatlie denyit the ſame, affermeing conſtantlie, that he keept his houſe that foirnoone, and that he come to the afternoone ſermone, and ſatt in the ordinair place with the reſt of the Lordis of the Seſſioun; quhilkis tua pointis, to witt, of his examinatioun of the witneſſes vpoun Eaſter evin, and comeing to the afternoones ſermone vpoun Eaſter day, we can all teſtifie to be of trewthe; and ſo finding no verificatioun of the informatioun gevin to youre maieſtie in this mater, we could proceid no forder thairintill, bot hes remittit the ſame to youre maieſteis princelie conſideratioun, humelie beſeekeing youre maieſtie not to tak in evill pairt the ſaid ſir James his not commvnicating the day foirſaid, quhilk proceidit not vpoun wilfull contempt or diſobedience, bot vpoun the iuſt and neceſſair occaſioun foirſaid; and we perſwade oure ſelffis, that as he wil be cairfull to eſhew all occaſionis quhilkis may procure youre maieſteis iuſt caus

of wraithe and offence aganis him, fo he will haif the lyke cair to approue him felff youre maiefteis faithfull and goode fubiect. And fo, with oure humble and earnift prayers vnto God for youre maiefties lang and happie reignne, we reft

Youre Maiefties moft humble and obedyent
fubiectis and feruitouris,

AL. CANCELLs.
LOTHIANE.
MELROS.
KILSAYTH.
CARNEGY.

AL. ELPHINSTON.
GEORGE HAY.
W. OLIPHANT.
A. HAY.

Halirudhous, xxiiij Junij 1619.

To the King his moft facred and excellent
Maieftie.

CXCIV.—EARLS OF DUNFERMLINE AND MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

QUHAIRAS the commiffionis for the fchireffhippis being in youre maiefteis handis, doeth now expyre at this approtcheing Lambmes, we haif thairfoir fend vnto youre maieftie ane roll of the jufticeis of the peace within the faidis fchirefdomes, to the effect that youre maieftie, oute of this roll, may mak choife of thame quhome youre maieftie will haif to fill thefe placeis for the yeir to come. And towcheing thefe who hes ferved in thefe officeis thir yeiris bigane, thay ar markit with a litle croce, and he quho is prefentlie in office is markit with the lettre P. At the returne of youre maiefteis will and pleafour in this mater, commiffionis falbe exped

accordinglie. And fo, praying God to grant vnto youre maieftie ane lang and happie reignn, we reft

Youre Maiefteis moft humble and obedyent
fubiectis and feruitouris,

AL. CANCELL^s.
MELROS.

Haliruidhous, xxiiij Junij 1619.

CXCV.—EARLS OF DUNFERMLINE AND MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

ACCORDING to youre maiefteis directioun, we fend of new for the laird of Drum, and verie eirniftlie delt and trauellit with him in that mater recommendit be youre maieftie to us, concerning fir Williame Irwing, and we vfed all the perfuafine, reffonis, and argumentis we could, to move him to gif vnto youre maieftie fatiffactioun, quhairin he pretendit fo grite hurte and preiudice to his eftate, as in no caife could he be induceit to yeild thairunto. The reffonis of his refufall he gaif in write, vnder his hand, quhilkis we haif heirwith fend vnto youre maieftie; and becaus we knew no thing of thefe particularis, and thair wes none heir, attending for fir Williame, to gif vnto us ony informatioun concerning the fame, we could mak no reply nor obiectioun thairanent; and fince the pairtye excuifes his refufaill, vpoun the neceffair efhewing of his grite preiudice, we can obteane no forder, bot muft remitt the forder determinatioun to

youre royall wifdome. And fo, with oure humble and eirnift prayeris vnto God for youre maiefteis lang and happie reignne, we reft

Youre Maiefteis moft humble and obedient
fubiectis and feruitouris,

AL. CANCELL^s.
MELROS.

Haliruidhous, 8 July 1619.

To the King his moft facred and excellent
Maieftie.

CXCVI.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

I HAUE vfed all diligence for triall of that which paffed betuix your maieftie and the embaffadors for the United Prouinces in the yeir 1594, and can find no thing bot a commiffion granted by the Eftates, vnder their feale, to Meffieurs Brederode and Valche, together with a ratification by thofe embaffadours of preceeding treaties of peace and amitie betuix your maiefteis royall progenitours and the houfe of Burgundie, and particularlie of that made at Binch, anno 1551, wherof I fend the copie heirwith to your maieftie. The principals wer fent to me by Sir Dauid Foulis, and fall be deliuered to the Clerk of Regifter, to be kept amongs the records of this your maiefties kingdome. The treatie at Binch is not found in your maiefties regifter; and therefore, if your maiefties embaffadours, with the Archeduke or Eftates, can get an autentik extract therof, it may greatlie ferue for cleiring of maters betuix your maieftie and them.

I perceiue by the commiſſioun granted to Brederode and Valche vnder the ſeale of the Eſtates, that thoſe who of late dealt with your maieſtie for the Indian trade, fiſchings, etc. did not proceed ingenuouſlie, when they pretended the letter of credite exhibited by them to be the vſuall warrand granted by the Eſtates to their commiſſioners, directed to treat in maters of ſuch conſequence, wherof your maieſtie may be pleaſed to conſider in future treaties.

The commiſſioner ſent to require your maieſties aſſiſe and teind from the ſtranger buſches, is not yet returned.

By deceas of Sir Alexander Drummond of Meidhop, ane ordinar place vaikes in ſeſſion, the preſent eſtate wherof requires the election of a man learned in the lawes and prattik, no age hauing ſene ſo few in that ſenate endewed with thoſe qualities as this time, which giues me hope, that your maieſtie will be gratiouſlie pleaſed to pardon the boldnes of my requeſt to your maieſtie, to prefer the good of your people, by choice of the moſt qualified, to that importunitie, which manie, owt of reſpect of privat freindſchip, will vſe for procuring the aduancement of ſuch as they affect; and therefore, ſince the end of this ſeſſion now approchis, if your maieſtie be pleaſed to delay the granting of preſentation till the beginning of the nixt, your maieſtie, before that time, hauing tried the qualities of the pretendents, all that affects the good of this eſtate will reſt aſſured, that your maieſtie will prefer him whom, by tryall, yow ſall find moſt fit for your owne ſeruice and iuſtice in the cuntrie. I humblie beg your maieſties pardon for this preſumption, and feruentlie beſeech God long to preſerue your maieſtie in all proſperitie and contentment. Ed. 16 July [1619?]

Your Maieſties moſt humble, faithfull, and bound
ſeruant and ſubiect,

MELROS.

To the Kingis moſt ſacred Maieſtie.

CXCVII.—EARLS OF DUNFERMLINE AND MELROS TO KING JAMES VI.

Most Sacred Souerane,

In the roll of the jufticeis of peace for the conftabularie of Hadingtoun, laitlie fend vp to youre maieftie, thair wes ane litle errour committit, by inferting Sir Williame Seytoun his name thairintill, becaus he haveing a deputrie of the office of fchireffhip of that conftabularie during his lyvetyme, maid to him be the Duke of Lennox, principall fchireff for the tyme; and it being youre maiefties pleafour, quhen that office fell in youre maiefties handis, to burdyne the faid Sir Williame with a furrender of his deputrie, he verie freelie and willinglie yeildit to the faid furrender, vpoun a fpeciall conditioun craved be him, and accordinglie grantit, that he fould never be chargeit agane with that office during his lyftyme. And quhairas we knowe that he will tak holde of this conditioun and promeis maid vnto him, we will thairfoir humelie intreate youre maieftie to mak choife of fome other for that office oute of the roll heirwith fend vp to youre maieftie. And fo craving youre maiefties pardoun for the faid errour, quhilk puttis youre maieftie to this new trouble, we pray God to bliffe your maieftie with a lang and happie reignne.

Youre Maiefteis moft humble and obedient
fubiectis and feruitouris,

Al. Cancells.
Melros.

Haliruidhous, the 20 day of July 1619.

To the King his moft facred and excellent Maieftie.

CXCVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

Whereas the clerk of youre maiesteis register,* oute of his goode affectioun to the credite and reputatioun of this his natiue cuntrey, and for the bringing in of tradis not formarlie knowne within the fame, hes by youre maiesteis approbatioun, licence, and preuilege, and to his exceiding grite chargeis and expensse, interprised and broght to good perfectioun the making of irone and glasse, within this kingdome, and hes sett vp workis in sindrie pairtis to that effect; quhilkis workis, with a nomber of strangearis attending the fame at daylie wadgeis, he hes, with mony grite difficulteis, and with a constant and fatled resolutioun, intertenyed and haldin forduard this diuers yeiris bigane, ever expecting that the dispatche of his irone and glass within and without the cuntrey fould, with tyme, haif restoirit and sett vp his losses: Bot he hes now found, be prooffe and experience, that all the cuntrie dispatche of his glass in ane haill yeir, will not vpholde his glass workis the space of ane moneth; the vpholde quhairof doeth necessarlie require so grite a stoke as hardlie can the vndertakair convenientlie furneis, inrespect of the restreant of foregne glass with that kingdome of England; swa that be appeirance this worke, quhilk is so necessair and proffitable for the cuntrey, and by the quhilk a nomber of the cuntrey people ar sett to worke, and instructed and trayned vp in that arte, will perishe and decay, and the gentilman, quho, oute of his affectioun to the weele of this cuntrey, interprised and vndertooke the worke, will, with otheris employed be him, tyne bothe their tyme and chargeis. And whereas, by the treatie of the Unioun betuix the twa kingdomes, and by ane Act of Parliament

* George Hay, afterwards first Earl of Kinnoul.

following thairupon, in the kingdome, it wes concluded that the natiue commoditeis of ather kingdome fould be free to be fauld in the other, and that conforme thairto, oure coale, quhilk formarlie wes forbiddin, is daylie now tranſported to England for making of glaſs, and for other vſes, without the quhilk no glaſs can be maid thair. We do thairfoir, in all reuerence, intreate your ſacred maieſtie in fauouris of the gentilman, your maieſteis feruand, and for the weele and honnour of this cuntrey, that outher the felling of Scottis glaſſe may, be your maieſteis royall authoritie, be declairit free in England, nochtwithſtanding ony prohibitioune or reſtreante maid in the contrair, or then, that the reſtreante and prohibitioun maid be formair Actis of Parliament agains the tranſporting of coillis oute of this kingdome may be ſufferit to ſtand in force (except onlie for furniſſing of youre maieſteis houſes). The particulairis concerning this buſſynes youre maieſtie will vnderſtand more at lairge, by a gentilman, berair heirof, who hes beene now a lang tyme a dealair thairin; vnto whoſe ſufficiencie remitting the ſame, and humelie recommending him to youre maieſteis gratious and fauourable acceptance, we pray God to bliſſe your maieſtie with a lang and happie reignne. Frome Haliruidhous, the 22 day of July 1619.

Youre Maieſteis moſt humble and obedient
ſubiectis and ſeruitouris,

AL. CANCELLARIUS.
MELROS.
MURRAY.
LAUDERDAILL.
W. OLIPHANT.

Haliruidhous, 22 July 1619.

To the King his moſt ſacred and
excellent Maieſtie.

CXCIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

The ordinair meetingis of the coiunct commiſſionaris for the Middilſhyris, being this lang tyme intermitted, and the concluſionis and reſolutionis quhilkis wer vſuallie tane at theſe meetingis, for the peace and quietnes of the ſaidis boundis, being thairby neglectit and interruptit, quhairupoun ſome diſordouris and enormiteis hes occurrit and fallin oute within the ſame boundis, to the diſturbance of youre maieſteis peace, and hurte of youre poore ſubiectis; and diuers of the commiſſionaris thame ſelffis being now become ſenſible of thir diſordouris proceding frome the intermiſſioun and neglect of thair ordinair meetingis as ſaid is, and thay being willing to repair and amend the ſame; yitt theſe of the Ingliſhe ſyde, not haueing warrand be thair laite commiſſioun to that effect, deſyris onlie to haif youre maieſteis pleaſour ſignifeit vnto thame thairanent, quhilk being declairit from thame to ws by thair aſſotiat commiſſionaris on this ſyde, we ar thairfoir moſt humelie to requeiſt youre maieſtie to recommend the ſame to the Lord Clifforde, willing him to call to him ſelfl ſuche of the Ingliſhe Commiſſionaris as formarlie hes beene beſt acquent with the ſeruice, and to conveene and meit with the Scottiſhe Commiſſionaris, quho hes lykewayes beene in vſe to keepe the ſaidis meetingis, ſa aft and at all ſuche tymes and placeis as with mutuall conſent ſalbe aggreit vpoun, and at thir meetingis to reſolue vpoun ſuche concluſionis as may ſuppres the preſent eviliis, and prevent the futur grouthe of thame. And ſo craveing youre maieſteis pardoun for this oure preſumptioun, and

humelie praying God to bliſſe youre maieſtie with a lang and happie reignne, we reſt

Your Maieſties moſt humble and obedient
ſubiectis and feruitouris,

A. Mar.
Melros.
J. Hamilton.
R. Cokburne.
G. Murray.

Haliruidhous, xxv Auguſt 1619.

To the King his moſt ſacred and
excellent Maieſtie.

CC.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

We ar informed of ane act and proclamatioun laitlie maid and ſett oute in prent thair, towcheing the coyneing of ſome new peeceis of gold, differing in weyght, prent, and fynnes, frome that quhilk, with conſent of bothe kingdomes, wes aggreit vpoun the tyme of the treatye of the Vnioun in the ſax hundreth and fyve yeir of God, quhair promeis wes maid that thair ſould be no alteratioun nor change of coyne, without mutuall conſent; and yf a neceſſitie of alteratioun ſould be fundin, that youre maieſties counſaill heir ſould be maid foirfeene and acquentit thairwith aſoir it tooke effect thair, to the intent we myght go on with thame, and haif the lyke progres in the courſe of oure moneyis: And by this proclamatioun, libertie is gevin to youre maieſties ſubiectis of England to refuſe the formair coynes of gold, being within the weyght limited, and ſett doun in the ſaid proclamatioun; in whiche point, althoght reſpect and conſideratioun ſould haif beene had of the coiunct entres whilk this eſtate hes in the

mater of the moneyis, feeing your maieſties princelie cair and tender regaird, alſweele in this as in all otheris caiſes, is indifferentlie commoun to bothe, and the mutuall correſpondence whilk youre maieſtie ſo eirneſtlie wiſheis to be intertenyed betuix the two kingdomes doeth, in honnour and iuſtice, require the ſame; we haif, thairfoir, prefoomed to acquent youre maieſtie, that the prioritie whilk that eſtate hes tane in this newe coyne, and the libertie of refuſaill of the auld coyne, as ſaid is, doeth ſenſiblie importe the hurte and preiudice of this cuntrey, and will gif occaſioun of exportatioun frome henſe of all oure goode and havie gold, and importatioun frome thenſe of all thair light and runged gold; ſwa that or we be awar, this cuntrey wilbe ſpoylled of the havye and filled with light gold, to the grite hurte of all eſteatis of perſonis heir. For remeid quhairof, we will humblie intreate yor maieſtie to gif directioun to James Douglas, or ſome otheris, to gett ane copy of the indentour paſt betuix your maieſties learned counſaill thair and the officiaris of the mynte, anent this new coyne, and to ſend the ſame heir with all convenient diligence, to the effect the officiaris of oure mynte, vpoun conſideratioun thairof, may mak ſome overtouris to youre maieſtie for youre royall conſent to be gevin for the lyke coyne to be maid heir. The gritair diligence wald be vſed in this mater, becaus the delay of tyme doeth more and more preiudge this cuntrey. And ſo, with oure humble and eirniſt prayers vnto God for your maieſteis lang and happie reigne, we reſt

Youre Maieſteis moſt humble and obedient
ſubiectis and ſeruitouris,

AL. CANCELLS.
GEORGE HAY.
MELROS.
W. OLIPHANT.
G. MURRAY.

Edinburgh, 6 October 1619.

To the King his moſt ſacred and
excellent Maieſtie.

CCI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

By oure formair lettre, of the 22 day of July laſt, we acquentit your maieſtie, how that youre maieſteis truſtie feruitour, the Clerk of Regiſter, and this bearair, who wes ane vndertakair with him, had, to thair exceding grite chargeis and expenſes, interpriſed and broght to perfectioun the arte of making of glaſs within this kingdome, and had fett vp workis in ſindrie pairtis to that effect; quhilkis workis, with a nomber of ſtrangearis attending the ſame, thay haif, with mony difficulteis, intertenyed and haldin fordwart thir diuers yeiris bigane, and how that now thay ar vnable ony langer to vnderly the daylie and neceſſair chargeis and expenſes of the ſaidis workis, becaus thair hoipis wherupoun thay buildit the reparatioun and vpſetting of thair loſſis, by the diſpatche of thair glaſſe within and without this kingdome, hes failled thame, ſeeing all the cuntrey diſpatche of glaſſe in ane haill yeir will not vpholde thir glas workis the ſpace of ane moneth; and thair is ane prohibitioun maid in that youre maieſties kingdome of all inbringing or felling of ony foreyne glaſſe thair; by the whilk prohibitioun maid, youre maieſties preuilege and patent, grantit to your ſaid feruitour, will become voyde, and this worke, quhilk hes coiſt ſo grite a deale of chargeis, will periſhe, to the diſcredite and ſcandall of the cuntrey, and hurte of a nomber of poore cuntrey people, who wer haldin at worke and inſtructed in that arte, not heirtoſoir practiſed amangs ws. And thairfoir, oure humble petitioun vnto your maieſtie wes, that, according to ane article aggreit vpoun in the treatie of the Vnioun, and ratifeit by youre maieſteis parliament heir, quhairby the native commodityis of ather kingdome wer declairit to be free to be inbroght and fauld in bothe, quhilk accordinglie hes tane effect and executioun heir, inſofar as oure coale, and mony otheris of oure natiue commodityis, forbidden to be exported be oure lawis, ar, notwithſtanding, without controlment, day-

lie careyed frome henſe thither, for making of glaſſe and otheris vſeis in that kingdome, that youre maieſtie wald be pleaſed, by your authoritie royall, outher to declair the felling of Scottis glaſs to be free in that kingdome, nochtwithſtanding ony prohibitioun or reſtreante maid in the contrair, or then, that, with your maieſteis fauour, the lawis of this kingdome maid aganis the exportatioun of coale may be revived, and ordanit to ſtand in force (with ſpeciall reſeruatioun alwayes of ſa mony coillis as ſalbe tranſportit for youre maieſteis houſe). This being the effect and ſubſtance of oure formair lettre, we wilbe bauld, of new, agane to recommend the ſame to youre maieſteis goode rememberance and gratious conſideratioun, and humelie to intreate youre ſacred maieſtie on the behalf of youre maieſteis ſaid feruitour, who, oute of his affectioun to the credite and weele of his native cuntrey, hes interpriſed not onlie thir workis, bot ſindrie otheris, as is notour to youre maieſtie; that youre maieſtie wald be pleaſed to hald hand vnto him, and to incourage him to proſequute and follow oute the ſaid worke, by declairing the glaſs of this kingdome to be free to be ſauld thair, as ſaid is. This gentilman, bearair heirof, who is ane vndertakair in this worke with your maieſteis ſaid feruitour, is come vp to attend this buſſynes, whome we humelie recommend to youre maieſteis fauourable acceptance. And ſo, frome oure hairtis praying God to bliſſe youre maieſtie with a lang and happie reigne, we reſt for ever

Youre Maieſteis moſt humble and obedient
ſubiectis and feruitouris,

Al. Cancellſ.	Wintoun.
Melros.	G. Murray.
W. Oliphant.	J. Hamilton.
R. Cokburne.	Sir J. Skene.

Edinburgh, 19 October 1619.

To the King his moſt facred and
excellent Maieſtie.

CCII.—EARLS OF DUNFERMLINE AND MELROS TO KING JAMES VI.

Most Sacred Souerane,

According to youre maiefteis directioun in that mater recommendit to youre maieftie to ws concerning Margaret Hairtfyde, we conferrit and aduifed at lenth with youre maiefteis aduocat, and by his aduife we haif caufit draw vp thir twa lettres heirwith fend vnto your maieftie; the one a reftitutioun and reponing of hir to hir fame, credite, and reputatioun, aganis the doome and fentence pronunceit aganis hir, and the other contening a warrand to youre maiefteis Juftice, Juftice Clerk, and thair deputis, on nawayes to gif furthe ony extractis of that proces led aganis hir, bot to hald the fame as deleit. And in oure opinioun, thir lettres, as thay ar confaved and drawne vp, will fecure the pairtye, and gif no twitche to the formalitie and ordour of proceding in youre maiefties Courte of Jufticiarie. And fo, with oure humble and eirnift prayers vnto God for your maiefteis lang and happie reignn, we reft

Youre Maiefties moft humble and obedient
fubiectis and feruitouris,

Al. Cancells.
Melros.

Edinburgh, 27 October 1619.

To the King his moft facred and
excellent Maieftie.

CCIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

Whereas youre maieſtie wes pleaſed, at youre firſt going frome hence into England, of youre ſpeciall grace and fauour, to beſtow the place of one of youre maieſteis feriantis at armes in ordinarye, with the fee of ijs. vjd. per diem, to youre maieſteis feruitour, Alexander Douglas, one of the ordinair maiſaris of youre maieſteis Preuie Counſaill and Seſſioun in this kingdome; and althoght the vſuall nomber of feriantis at armes in England wes bot xvi, whiche nomber wes then full, yitt youre maieſtie at that tyme did rewarde ſindrie otheris of youre maieſteis antient feruandis in that kynd, by adding bothe to the nomber and fees of placeis, whiche remaned and continewit ſo till the placeis become voyde, and then were reduceit to the ſatled nomber. And becaus the neceſſitie of the ſaid Alexander his attendance vpoun youre maieſteis feruice heir, vrged him to mak his addreſſe and returne home, he enterit in conditioun with one Richard Hall, Engliſhman, for a ſurrender of the ſaid place in his fauour, and he fauld the ſame vnto him, and procured youre maieſteis gratious fauour, for admitting of the ſaid Maiſter Hall in his place, and he accordinglie wes creat ane feriant at armes; bot for omiſſioun of ſome circomeſtanceis in pointis of formalitie, concerning youre maieſteis grant maid to Maiſter Hall, and the ſurrender whairupoun the ſame proceidit, thair appeareth a manifeſt defect in the ſaid grant, whiche may breid ſome queſtioun aganis him. And Maiſter Douglas finding him bund in conſcience to rectifie the ſaid defect, and to do quhat in him lyis, to mak the place goode to Maiſter Hall, ſeeing he reſſaued ſome conſideratioun for the ſame, he is thairfoir a humble ſuteair vnto ws, that we wald intreate youre ſacred maieſtie to declair youre royall pleaſour in fauouris of Maiſter Hall, for his quiet enioying of the ſaid place, with the fee of ijs. vjd. per diem, as hitherto it hes beene, and for avoyding of

forder contentioun, that youre maieſtie wald be pleaſed to ſignifie youre pleaſour to the Lord Chamberlane for the tyme being, that vpoun the nixt avoyding of ony of the xvj ſeriantis, that the ſaid Maiſter Hall may be admittit, conforme to his patent, and enioy all fees and dewyteis incident to that place. And ſo crauing youre maieſteis pardoun for this oure preſumptioun, humblie praying God to bliſſe youre maieſtie with a lang and happie reignn, we reſt

Youre Maieſteis moſt humble and obedyent
ſubiectis and ſeruitouris,

Al. Cancellʳ.
Wintoun.
Roxburghe.
Lothiane.
Melros.

Edinburgh, 27 October 1619.

To the King his moſt ſacred and excellent
Maieſtie.

CCIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

Haueing keepit a grite nomber of dyetis with the marcheantis and ſkipparis, anent that mater of the reſtreante of fraughting of ſtrangearis ſhippis, ſa oft recommendit be your maieſtie vnto ws, and haueing at verie grite lenthe, and with goode aduiſe and deliberatioun, hard and diſcuſſit the haill reſſonis and obiectionis, with the anſueris, replyis, and duplyis

gevin in and proponnit be worde and write thairanent, in end, after lang debait and conteſtatioun on ather ſyde, we broght thame to this point, that with mutuall conſent the reſtreante for all tradis, except the eaſterlyne trade, wes aggreit vpoun, and nyne perſonis wer nominat and ſworne for ather ſyde to ſett doun the fraughtis; towitt, fax marcheantis and three marcheant awnaris, for the marcheantis, and fax ſkipparis and three marcheant awnaris for the ſkipparis: whilkis perſonis, in diuers meetingis had be thame for that effect, did verie weele aggree vpoun the fraughtis, and ſett the ſame doun to the full contentment and lykeing of all partyis. Bot, anent the eaſterlyne trade, we fand ſo mony difficulteis thairin, and ſa mony cleir and ſenſible grevanceis to follow thairupoun, as we could not without the euident hurte of the haill cuntrey yeild thairunto; ffor this eaſterlyne trade conſiſtis altogidder of ſuche neceſſair wairis as the cuntrey can not want, eſpeciallie of tymmer, pik and tar, quhilkis being neirby nyne of ten pairtis of that haill trade, thay ar not able to beare ſuche fraughtis as oure cuntrey ſhippis may ſerue for; nather haif we ſhippis meete and commodious for that trade; but theſe wairis being importit be ſtrangearis at eaſie and reaſounable fraughtis, thay ar accordinglie ſauld at moderat pryceis to youre maieſteis ſubiectis, whereas yf the reſtreant were allowit, not onlie wald the pryceis of thir neceſſair wairis be extraordinarlie highted, bot the cuntrey, through laik of cuntrey ſhipping commodious for that trade, wald be in dangeir to be ſpoylled of the faidis wairis. And this being the trew reſpect and caus diverting ws frome the reſtreante in that pairt, we pronunceit and intimat the ſame to the pairtyis, bot ſo far wer the ſkipparis frome acquieſceing thairunto, and frome imbraceing the reſtreante for the ſouthe and weſt tradis, as they paſt frome all that wes done in this buſſynes, deſiring, according to thair formair proteſtationis ever maid in the haill progres of this proces, that thay might be reponnit in thair awne placeis, and that no reſtreante ſould be maid at all, vnles the eaſterline trade wer comprehendit. This being the effect of oure procedingis in this buſſynes, we humelie preſent the ſame to youre maieſteis conſideratioun, beſeeiking youre maieſtie not to tak in evill pairt, that this reſtreante for the eaſterlyne trade wes not concludit, ſince the ſenſible and ſeene hurte of the cuntrey wes the occaſioun

thairof. And fo, with oure humble and eirnift prayers vnto God for youre maiefteis lang and happie reignn, we reft

Youre Maiefteis moft humble and obedient
fubiectis and feruitouris,

Al. Cancells.	Ja. Glasgow.
George Hay.	Carnegy.
A. Mar.	R. Cokburne.
Lauderdaill.	Kilsayth.
Melros.	W. Oliphant.

Edinburgh, the fourte of Nouember
1619.

To the King his moft facred and excellent
Maieftie.

CCV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Soverane,

Haueing, according to youre maiefteis directioun, caufit charge the proueft, baillies, deane of gild, thefaurair, and fome of the counfell of Edinburgh, to prouide thame felfis with rid fcarlatt gownis, betuix and the xxiiij day of December inftant, thay thairupoun become petitionaris vnto ws, that we wald impairt vnto your maieftie the difficulteis and reffonis gevin in be thame quhairfoir thay can not goodlie be burdynnit with the faidis gownis; To witt, that quhairas by the conftant cuftome of the faid burgh, inviolablie obferuit in all tyme bigane, the weareing of blak gownis as a moft decent, grave, and comelie habite, befeameing magiftratis of burrowis, hes onlie bene in vfe within the faid burgh, and quhairwith the

ſame hes alwayes bene verie ſufficientlie and weele furniſt, yitt at the tyme of your maieſteis late comeing to this kingdome, the haill magiſtratis and counſell of the ſaid burgh for the tyme, with a grite nomber of the honneſt nightbouris of the ſame, who of beſoir were weele aneugh prouidit with goode and handſome gownis, wer inioyned to prouide thame ſelffis of new with more ritche blak gownis, lynnit with blak veluott or coiſtlie furringis, for youre maieſteis receptioun within the ſaid burgh. Quhilk being accordinglie done be thame, for the credite and reputatioun of the ſaid burgh, to thair grite chargeis and expenſſis, youre maieſtie wes gratiouſlie pleaſit at that tyme to allow thairof, and the noblemen and otheris of England that attendit youre maieſtie, and beheld the ordour obſeruit within the ſaid burgh, did acknoulege the ſame to be bothe ritche, grave, and comelie. And now, yf a neceſſitie of rid gownis ſalbe vrged vpoun thame, and conſequentlie vpoun thair ſucceſſouris, thair wilbe few or nane had to accept ony charge or office within the ſaid burgh heireſter, be reſſoun that not onlie will thay be withdrawne frome thair awne calling, and tyne thair tyme and handling for that yeir, bot this new burdyne of rid gownis, quhilk wilbe verie chargeable and expenſiue vnto thame, will ly vpoun thame. And quhairas the cuſtome of England may be obiectit to thame, thay anſuer, that thair conditioun in this caiſe is not alyke, ffor theſe of England, ferueing in the lyke placeis, hes goode allowance and fees able to raimburs thair haill chargeis, and the office of Alderman thair is *ad vitam*, whereas the magiſtratis and counſell of the burrows of this kingdome ar changeable yeirlie, and thay ar not capable of thair placeis the yeir following, and thay ſerve freelie without fee or allowance. And towcheing that point inioyned to the proueſt to weare a grite chayne of gold in tyme of Parliamentis or otheris ſolempniteis, thay anſuer, that the proueſt of Edinburgh hes no place in the Parliament Houſe, and is never imployed as a commiſſionar thair; and, yf he haif occaſioun to kyithe at theſe tymes, it is vpoun the ſtreit in armes, accompanyed with the nightbouris of the toun for gairding of the Parliament; at whiche tyme a gold chayne is nather ſeamelie nor fitting. Thir being the reſſonis gevin in be thame to ws, we humelie preſent the ſame to youre maieſteis conſideratioun, aſſureir g youre maieſtie, that the

magiſtratis and haill counſell of the ſaid burgh do euerye Sonday, and otheris dayis of ſolempnitie, weare thair blak gownis in decent and comelie forme and ordour: and we wilbe humble interceſſouris vnto youre maieſtie in thair fauours, that in regaird of the mony grite burdynis lyand vpoun the ſaid burgh, and the grite chargeis thay haif bene at thir diuers yeiris bigane, bothe in thair priuat and publict adois, that youre maieſtie wald be pleaſit to diſpens with thame anent thair rid gownis, conditionallie, that thay weare thair blak gownis in maner, and at the tymes preſcryued in your maieſteis directionis formarlie gevin heiranent. And ſo craueing youre maieſteis pardoun for this our preſumptioun, and humelie praying God to bliſſe youre maieſtie with a lang and happie reignne, we reſt

Youre Maieſteis moſt humble and obedient
ſubiectis and ſeruitouris,

AL. CANCELL[R].
MELROS.
KILSAYTH.
A. MAR.

LAUDERDAILL.
J. ERSKYNE.
GEORGE HAY.

Edinburgh, 14 December 1619.

To the King his moſt ſacred and excellent
Maieſtie.

CCVI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THE baillies of Edinburgh being at lenth hard be ws in that mater whiche your maieſtie recommendit vnto ws, on the behalff of youre maieſteis ſeruitour, Williame Todrig, towcheing the ſurveying and trye-

ing of the ſufficiencie of the rid hering maid and tranſportit furthe of this kingdome, and his agent, whome he nominat to attend this buſſynes, being lykewayes preſent and hard, and diuers obiectionis being maid be the ſaidis baillies aganis the expeiding of the ſaid Williame his patent, and anſueris being maid thairunto be his ſaid agent: at laſt the ſaidis baillies come to ane peremptour and materiall pointe whilk we could not gett paſt by, to witt, thay alledgeit and produceit ane patent maid, and gevin be youre maieſtie vnder youre grite ſeale, to the proueſt and baillies of the ſaid burgh and thair ſucceſſors, by the whilk, youre maieſtie hes grantit vnto thame the office, libertie, and preuilege of viſeing, gaidgeing, ſealling, or ſtamping of the haill barrellis of hering and quhyte fiſhe within this kingdome. And this patent being red in oure audience, and conferrit with the patent craved be the ſaid Williame, we fand thame bothe to aggree togidder in that pointe anente the ſurveying or trying of the ſufficiencie of the hering, and ſwa in effect and ſubſtance to contene all that is craued be the ſaid Williame: And ſeeing the ſaid patent ſtandis in force, vnquarrellit or brought in queſtioun, we could not gif way to the ſaid Williame his patent, nor expeede twa patentis vpoun ane ſubiect, vnles we walde ingage the ſaid Williame in ane neidles proces with the ſaid burgh anent the validitie of his patent, whairin, to oure opinionis, be courſe of law he wald not prevaill. And this being all that we could do in the buſſynes, we humelie preſent the ſame to youre maieſteis conſideratioun, with oure earniſt prayeris vnto God for youre maieſteis lang, happie, and bliſſed reignne. Frome Edinburgh, the xvj day of December 1619.

Youre Maieſteis moſt humble and obedyent
ſubiectis and ſeruitouris,

AL. CANCELL^S.
WINTOUN.
LAUDERDAILL.
MELROS.
ROXBURGHE.

To the King his moſt ſacred and
excellent Maieſtie.

CCVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

According to the commiſſioun and warrand of the laite parliament, and youre maieſties command and directioun following thairupoun, we haif had diuers meetingis and conferenceis vpoun that ſubiect recommendit vnto ws, anent the reformeing of the abuſe of tanning of ledder within this kingdome; and we callit befoir ws ſome of the principall tannaris of the cheif burrowis, and certane cordinaris of goode credite, knowlege, and experience in that trade, be quhome we ar trewlie and ſufficientlie informed, that the ſaid abuſe proceidis frome the ignorance and vnſkilfulnes of the tannaris thameſelffis, and that thair is a neceſſitie of inbringing of ſtrangearis for inſtructing of thame in the right forme of tanning. Quhairupoun, after mature aduiſe and lang deliberatioun, we haif layed doun ſome groundis, how and be quhome, thir ſtrangearis ſalbe broght in and intertenyed during the prefixt tyme of thair aboade heir, quhat conditionis thay ſalbe ſubiect and tyed vnto, and quhat courſe ſalbe preſcryued vnto thame, towcheing thair behauiour and cariage; lyke as we haif maid ſome prouiſionis and cautionis, for the dewtifull cariage of theſe, quhome your maieſtie ſalbe pleaſed to truſte with the ſeale, with the particularis quhairof, being loathe to impeſhe youre maieſties more important and princelie affairis, we ar onlie to acquent youre maieſtie with this one pointe, that the burdyne and charge of the inbringing and interteynying of thir ſtrangearis, and of all otheris the deburſementis to be maid in this ſeruice, muſt be layed vpoun him quho ſalbe truſted with the ſeale: and becaus the ſeruice wilbe chargeable vnto him, and that in mony yeiris the commoditie arryiſeing be the ſeale will not be anſuerable to his deburſementis, and we haueing conſideratioun that this intendit reformatioun will proue verie proffitable not onlie to the tannaris, bot to the haill kingdome, we haif thairfoir ſett the price of iiij ſ̃ Scottis vpoun euerie hyde that ſalbe ſealled during the terme of xxj yeiris; at the ex-

pyreing of the whilk terme, becaus the feruice will then become facile and eafie, without ony forder neceffitie of advancement, we haif appointit the price of the feale to be onlie xij ₰ Scottis thairefter; quhairupoun, according to youre maiefteis directioun, we haif drawne vp, and heirwith fend vnto youre maieftie, ane fignatour, to indure for the fpace of xxxj yeiris, to the effect youre maieftie, after confideratioun thairof, may tak fuche forder courfe thairin, as youre maieftie in youre incomparable wifdome fhall hald fitteft. And fo, humelie praying youre maieftie to tak in goode pairt, oure fimple trauellis and indeuoiris in this buffynes, and frome oure hairtis, praying God to bliffe youre maieftie with the continewance of mony lang and happie yeiris, we reft for ever

Youre Maiefteis moft humble and obedient
fubiectis and feruitouris,

AL. CANCELL^s.	JA. GLASGOW.
A. MAR.	W. OLIPHANT.
SANCTANDREWS.	CRANSTOUNE.
WINTOUN.	CARNEGY.
WIGTOUNE.	AL. ELPHINSTON.
MELROS.	GEORGE HAY.
LOTHIANE.	

Edinburgh, the firft of Februair 1620.

To the King his moft facred and
excellent Maieftie.

CCVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffauit youre maiefteis letter concerning the Maxuellis of Gararie, by the quhilk, it is youre maiefteis pleafour, that we fould vfe all poffible and exact meanis for tryeing of the treuthe of that murthour

layed to thair charge, and that thairefter we fould do thairin as we wilbe anfuerable to God and youre maieftie. Vpoun the reffett and confideratioun of the whilk letter, we enterit in deliberatioun, how fer by law we might proceid in a mater of this kynd, and, after lang reafouning and conference had thairupoun, we find that in criminall perfuitis, quhair the pannell is clengeit, the perfewair finding iuft caus of greiff aganis the procedingis and verdite of the affife, hes verie competent actioun of a fecund tryall and proces of errour aganis the affife; bot quhair the pannell is convict, and fentence accordinglie pronunceit, no fecund tryall nor proces can be admittit, and the iudgement can never thairefter be broght in queftioun; ffor, in that caife, the fouerane courte of the Criminall Iuftice, and the procedouris thairof, vpoun euerie intervening occafioun, may be quarrellit, and mony imputationis wald thairupoun follow, to the difgrace of that iudgement, whilk is one amangs the firft in dignitie within this kingdome. Alwayes for youre maiefteis informatioun of the trew eftate of this buffynes, fo far as we haif learned be the progres of the proces, we haif heirby thoght meete to prefent vnto youre maieftie ane breif relatioun of the fame as thay fell oute, to witt, Gararie, vpoun the firft brute and rumour of that murthour, being committit to warde as fufpect guiltie of the fame, and being diuers tymes broght to his examinatioun, and diuers witneffis at findrie dyetis being produceit aganis him, and he and his fone being confrontit vpoun certane interrogatouris, circomeftanceis, and prefumptionis gevin in aganis thame, for drawing of thame vnder the guylte of that murthour, thay ever abaid conftant be thair denyall; and althoght the faidis prefumptionis feamed to furneis fome litle mater of fufpitioun, yett thay wer not fo pregnant as the gravite and importance of fuch a mater requirit, whilk maid ws to inclyne to a continewatioun of the laft dyet appointit for thair tryall, till God, and tyme the moder of trewthe, fould produce a more cleir difcouerie of the fame. Bot he and his fone, relying vpoun thair innocencie, and being weyreit with thair lang imprifonment, and grite foumes quhairupoun thay had found cautioun to be anfuerable to thair triall, and with the foull and havie imputatioun and fcandall of that murthour, whilk they vnderly; and the young man haueing come heir frome courte poift, with verie grite diligence, for keeping of the faid laft dyet; thay vrged thair tryall

with fuche vehemencie and inftance, and with fuche importunitie and paffioun, as we could not, with reffoun, refufe nor deny the fame vnto thame; quhairupoun thay being broght to thair tryall, and an affife being reffauit and fworne, thay wer fundin guiltie be the affife, and fentence condampnitour pronuncid aganis thame, thay in the meantyme protefting, with mony grite aithis, thair innocencye; and thay continewit conftant with thefe proteftationis, notwithftanding the trauellis tane be the minifteris to haif drawne them to a confeffioun, till thay wer broght to the fcaffolde, at the foure cornaris quhairof, and at thair laft prayer, vpoun thair knees, vnder the aix, thay ratifeit all thair formair proteftationis, ever inuocating the bleffed Trinitie to be thair iudge in that caife, whilk maid fuche ane impreffioun in the hairtis and opinionis of the beholdaris, that thay all inclynnit rather to think thame innocent nor guiltie. And the pairtie perfewair, vpoun notice of this thair conftant denyall, at the laft pointe of deathe, confentit to a continewatioun of thair executioun, and in effect ar agreit with thame, and will mak no oppofitioun to ony fauour or mercye that youre maieftie wilbe gratiouflie pleafit to fhowe vnto thame. Whilk remitting to youre maiefteis moft excellent iudgement, feeing the mater now reftis vpoun youre maiefteis determinatioun, and frome our hairtis praying God to bliffe youre maieftie with mony lang and happie yeiris, we reft

Youre Maiefteis moft humble and obedient
fubiectis and feruitouris,

AL. CANCELL^S.
MELROS.
W. OLIPHANT.
AL. ELPHINSTON.
SANCTANDREWS

LAUDERDAILL.
R. COKBURNE.
CARNEGY.
GEORGE HAY.

Edinburgh, the thrid of Februair 1620.

To the King his moft facred and
excellent Maieftie.

CCIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

For fatiffactioun of youre maiefteis command and directioun in that mater, recommendit be youre maieftie to ws, towcheing the tryall of the circomeftanceis of the flaughter of vmquhyll Walter Scott, fone to Walter Scott of Harden, committit be Symon Scott of Bonnytoun, and yf the offeris alledgeit, maid on the behalff of the faid Symon, and produceit vnto youre maieftie, wer in deid maid or nott: we conuenit befoir ws the faid Walter Scott of Harden, and his eldeft fone, with the wyffe of the faid Symon, and Johnne Tuedie, who attendis his affairis and bufynes now in his abfence; and we alfua write for the relict of the faid vmquhile Walter, whofe abfence, vpoun fome confiderationis, wes excuifit; and haueing, at lenthe, hard thame, alfweill anent the forme and maner of the flaughter, as anent the making of the faid offeris, we fand litle contrarietie concerning the offeris, bot the forme and maner of the flaughter wes contravertit, quhairupoun we affignit vnto thame bothe the xxij of this inftant, for proueing of the circomeftanceis of the faid flaughter. At quhilk day a nomber witneffis being produceit be thame, and thair obiectionis *hinc inde* aganis the witneffis being hard and difcuft, and accordinglie fome of thame repellit and fett, in end a nomber of witnefs wer admittit and fworne, and verie exactlie examinat in prefence of the whole counfell; quhofe depofitionis we haif heirwith fend vnto youre maieftie, to the effect youre maieftie, after confideratioun thairof, may, in the excellencie of youre awne iudgement, gif fuche forder ordour and directioun thairanent, as your maieftie fhall think goode. And fo,

continewing oure humble and eirnift prayeris vnto God for youre maiefties lang and happie reignn, we reft

Youre Maiefteis moft humble and obedient
fubiectis and feruitouris,

AL. CANCELLS. A. MAR.
MELROS. LAUDERDAILL.
R. COKBURNE. GEORGE HAY.

Haliruidhous, 24 February 1620.

To the King his moft facred and
excellent Maieftie.

CCX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffauit youre maiefteis lettre concerning the Maxwellis of Gararie, by the quhilk, youre maieftie hes moft cleirlie and iuditiouflie explaned youre felf anent that pairt of the directioun of youre maiefteis firft lettre fend vnto ws, quhairby we wer commandit to vfe all poffible meanes and tryall, to find oute the treuthe of that murthour layed to thair charge. In quhilk point, as we omittit no panes, trauellis, nor diligence, that oure awne iudgement, or the informatioun of the pairtie could direct ws, fo by oure laft lettre we acquentit youre maieftie particularlie thairwith. And quhairas, now it is youre maiefteis pleafour, that the aggrement betuix the pairtyis fhall go fordward, that fo, with all menis goode lykeing, thir Maxuellis may be releafed, it will pleafe youre maieftie to knowe that the aggreement is alreddy maid, bot the finall accomplifheing thairof, dependis vpoun youre maiefteis fauour to be fhowne to the faidis Maxuellis, becaus the aggreement is conditionall in that pointe; quhilk being

grantit, we ſall tak ſuche ordour, as that mater ſalbe fullie and finallie ſatled, and the pairtie releaſed, with all menis contentment. And ſo, with oure humble and eirniſt prayers vnto God for your maieſteis lang and happie reignn, we reſt

Youre Maieſteis moſt humble and obedient
ſubiectis and ſeruitouris,

AL. CANCELLS.
MELROS.
A. MAR.
GEORGE HAY.
WINTOUN.

Haliruidhous, 24 February 1620.

To the King his moſt ſacred and
excellent Maieſtie, etc.

CCXI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

ACCORDING to youre maieſteis directioun, we haif maid and cauſit publiſhe, ane new proclamatioun for reſtreaneing the tranſporte of paſſingeris to that kingdome, who hes no laughfull earand thair, bot to importune and faſhe youre maieſtie with thair ſuitis and begging, to the diſcredite and ſcandall of this natioun. And we ſhall haif a cair that the ſkipparis offending in this caſe, ſalbe puneiſt accordinglie. Bot quhairas, it is your maieſteis pleaſoure, that ſome ordour ſalbe eſtabliſhed for reſtreaneing of ſuche, as, being hinderit to come be ſea, may come in be the middleſhyres, that is a point very difficle, and hardlie can ony

courſe or ordour be eſtabliſhed thairanent; ffor, as youre maieſtie knowis, the boundis of the middleſhyris, compting frome Beruick to Carlile, ar very ſpatious and wyde, and it is not poſſible that attendance can be gevin at all the pairtis and placeis within theſe boundis, quhair commoditie of paſſage may be had. Alwayes, we haif tane this courſe, as the beſt expedient, in oure opinionis, to releeue and freethe youre maieſtie frome the importunitie and faſherie of thir idle and impertinent ſuitaris and beggaris; to witt, by the proclamatioun foirſaid, we haif ſtraitlie forbidden all perſonis, whoſe pretext of comeing to youre maieſteis courte is for ſuitis or begging, on nawayes to repair thairto, be ſea nor land, without a teſtimonie frome youre maieſteis counſaill of the laughfulnes of thair earand, vnder the pane to be ſent bak with diſcredite, and to be pvneiſt, according as youre maieſtie ſhall ſend doun informatioun of thair miſbehauiour and cariage. And yf youre maieſtie ſalbe pleaſit to allow of this courſe, and accordinglie caus ſome twa or three of thir importune ſuitaris to be ſend home, with youre maieſteis adviſe how thay ſalbe pvneiſt, we ar of opinioun, that the pvniſhement of thame ſalbe a terrour to all otheris to offend in the lyke caiſe heireſter; quhilk remitting to youre maieſteis more iuditious conſideratioun, and humelie praying God to bliſſe youre maieſtie with a lang and happie reignne, we reſt

Youre Maieſteis moſt humble and obedient
ſubiectis and ſeruitouris,

AL. CANCELLS.
MELROS.
A. MAR.
ROXBURGHE.
BUKCLEUGHE.

Edinburghe, 8 Junij 1620.

To the King his moſt facred and
excellent Maieſtie.

CCXII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

By youre maiefteis lettre, writtin to the Erll of Melros, youre maiefteis fecretarie, we perfaue that youre maieftie hes tane fome offens vpoun occafioun of ane informatioun fend vp to youre maieftie, That quhen youre maiefteis commandment of confyneing of certane difobedient perfonis of Edinburgh wes exhibite in counfell, fome queftionis and doubtis wer proponned, how far youre maiefteis commandmentis in the lyke caifes might extend, quhilk your maieftie hes interprete to be a direct calling of youre royall authoritie in queftion. We ar forie that in a mater of this kind, towcheing youre maieftie onywayes in youre royall prerogatiue and authoritie, that fuche finifter informationis fould haif bene maid of ws; ffor, as we ar all free of that mater, and never harbourit any fuche notioun in oure hairtis as to chope at the meaneft point of youre maiefteis authoritie; fo, quhen youre maiefties commandment and lettre for confyneing of thir men wes exhibite and red in counfell, thair wes never fo mutche as ane word fpokin, quhilk, in direct or couloured fenfe, might haif impugned the fame; bot the haill nomber that wes prefent, of whome few ar this day abfent, acquiefceit thairunto, without proponing of ony queftioun or doubt aganis the fame, or fpeakeing of ony ane worde quilk, in fenfe or confequence, might haif bene interprite to the preiudice of youre fouerane authoritie. All the queftioun that wes in handis, wes onlie anent the tymes of the entrie of thir perfonis in warde, quhilk neceffarlie required fome confideratioun, in refpect of the pouirtie of fome of thame, the aige and infirmitie of otheris, and the far diftance of thair warding placeis, whilk moued the counfaill to grant vnto thame a reafounable tyme to enter, for the better inhabilling of thame to mak thair prouifioun and furniffing. This being the fimple treuthe of all that wes done or fpoken in that buffynes, we humblie prefent the fame to youre maiefteis fauourable confideratioun, requeifting youre maieftie, not to gif haiftie credite to informationis of this kynd, quhairby youre maiefteis

faithfull feruandis and counfellouris may be wronged, and the finceritie of thair behauiour and cariage in youre maiefteis feruice randerit fufpitious; bot in this, as in all otheris thingis, fubmitting oure felffis to youre maiefteis moft excellent iudgement, and frome oure hairtis praying God to bliffe youre maieftie with the continewance of mony lang and happie yeiris, we reft

Youre Maiefteis moft humble and obedient
fubiectis and feruitouris,

AL. CANCELL^S.	A. MAR.
MELROS.	SCONE.
G. MURRAY.	ROXBURGHE.
J. ERSKYNE.	W. OLIPHANT.

Halyruidhous, xv Junij 1620.

To the King his moft facred and
excellent Maieftie.

CCXIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR wes ane petitioun exhibite this day to youre maiefties counfell, in name of the noblemen, baronis, and gentilmen of this kingdome; and it wes bakit with the prefence of a nomber of the baronis of Lothiane, who conftantlie affirmed that thay had warrand to that effect, from diuers of the noblemen, baronis, and gentlemen that wer in the burgh of Edinburgh at this laft Witfoun terme, complening and havilie regraiting the fenfible harme, that not onlie thay, bot the haill fubiectis of this kingdome, fuftenit through the penurie and fcairftie of moneyis within the fame, quhairby thay thame felffis wer difhabilled frome keping of thair credite, and thair poore tennentis and labouraris of the ground wer liklie, in fhort tyme, to leave thair rowmes, and to caft and lay the

ſame waiſt. And thairfoir, thair humble petitioun vnto ws wes, that a toleratioun might be gevin to ſome certane ſpaceis of foreyne coyne to haif courſe heir at competent pryceis, vnder your maieſteis awne coyne, for a certane ſpace, to the intent that thairby moneyis might be broght within the cuntrey, and your maieſteis ſubiectis of all rankis maid the more able to defray thair debtis, and diſcharge thair otheris adois accordinglie. Thair petitioun being at lenthe hard and conſidderit, and the generall complaynte and regrait of the ſubiectis through the ſcairſtie of moneyis being verie weele knowne, yitt we wald not preſoome to medle in that mater, according to the proiect proponned, without youre maieſteis conſent and allowance, bot hes remittit the ſame to youre maieſteis moſt iuditious and graue conſideratioun, and quhateuer youre maieſtie ſalbe pleaſit to command thairin, outher by allowing or diſproueing of the ſaid proiect, ſalbe accordinglie followit. And yf it ſalbe youre maieſteis pleaſour to allow thairof, vpoun ſignificatioun of youre maieſteis will thairanent, a ſpeciall regaird and cair ſalbe had, that bothe anent the particulair ſpaceis quhilkis ſalbe tollerat to haif courſe, and anent the pryceis of the ſame, ſuche a moderat ordour ſalbe tane, as the importance and neceſſitie of the mater and the weele of the cuntrey requiris. And ſo, praying the Almightie God to bliſſe youre maieſtie with mony lang and happie yeiris, we reſt

Youre Maieſteis moſt humble and obedient
ſubiectis and ſeruitouris,

AL. CANCELLS. WIGTOUNE.
PA. ABERDENE. BUKCLEUGHE.
LAUDERDAILL. PA. B. OF ROSS.
WINTOUN. MELROS.
J. ERSKYNE.

Haliruidhous, 29 Junij 1620.

To the King his moſt ſacred and
excellent Maieſtie.

CCXIV.—THE EARLS OF DUNFERMLINE AND MELROS TO KING JAMES VI.

Most Gratious Souerane,

According to youre maiefteis directioun, we fend for the Erll Abircorne, and the Countefſe his moder, and trauellit verie eirniſtlie with thame in that mater recommendit be youre maieſtie to ws, anent the fubmiſſioun vrged be youre maieſtie of the materis queſtionable betuix thame and Sir George Hamiltoun. The Countefſe excuiſit hir felff, as haueing no mater of queſtioun or conteſtatioun with the faid Sir George, and ſho refuifed to tak ony burdyne for hir fone, in refpect of his minoritie, and the Erll him felff declairit that he had conferrit with his curatouris anent this fubmiſſioun, who aduiſit him not to enter in ony generall fubmiſſioun with the faid Sir George, vnles he wer particulair in his clayme quhat he had to crave; and becaus Sir George refuifed to be particulair in that pointe, his curatouris wald not ioyne with him in that fubmiſſioun. And fo finding ane vnwillingnes in thame to fubmitt, and that thay efhewed and fled the fame, we haif left bothe pairtyis to the ordinarie courfe of the lawis, quhairin we fall haif a fpeciall cair and regaird that juſtice falbe accordinglie miniſtred as youre maieſtie hes directit. And fo, with oure humble and eirniſt prayers vnto God for youre maiefteis lang and happie reignn, we reſt

Youre Maiefteis moſt humble and obedient
fubiectis and feruitouris,

Al. Cancells.
Melros.

Haliruidhous, the xiij of July 1620.

To the King his moſt facred and
excellent Maieſtie.

CCXV.—CERTIFICATE IN FAVOUR OF SIR HENRY WARDLAW, HER LATE MAJESTY'S CHAMBERLAIN.

We, vnder fubfcryveand, havene hard, examined, and tryit the comptis maid be Sir Henrie Wardlaw, chalmerlane for the tyme to the quenis moft excellent maieftie, of bliffed and happie memorie, of the Lordfchip of Dunfermling, Erldome of Rofe, Lordfchipis of Ardmenach and Ettrikforreft, of the termis of Witfonday and Mertimes, crope and zeir of God ane thoufand fix hundrethe and auchtene zeiris, conforme to ane perticuler commiffioun direct be the kingis moft facreid maieftie to ws for that effect; we haue allowed, admitted, and fubfcryuit the faidis comptis, and hes fundin the faid Sir Henrie to haue maid juft compt, reknene, and compleit payment of his intromiffioun of the frutis, rentis, and cafualiteis of the faid Lordfchip of Dunfermling, Erldome of Rofe, Lordfchipis of Ardmenach and Ettrikforreft, of the termis and crope aboue fpecifieit; quhilkis we teftifie be thir prefentis, fubfcryuit with our handis at Edinbrughe, the auchtene day of July 1620 zeiris.

Al. Cancells.
Melros.
George Hay.
W. Oliphant.
G. Murray.